America, a Christian Nation?— Carl Pearlston

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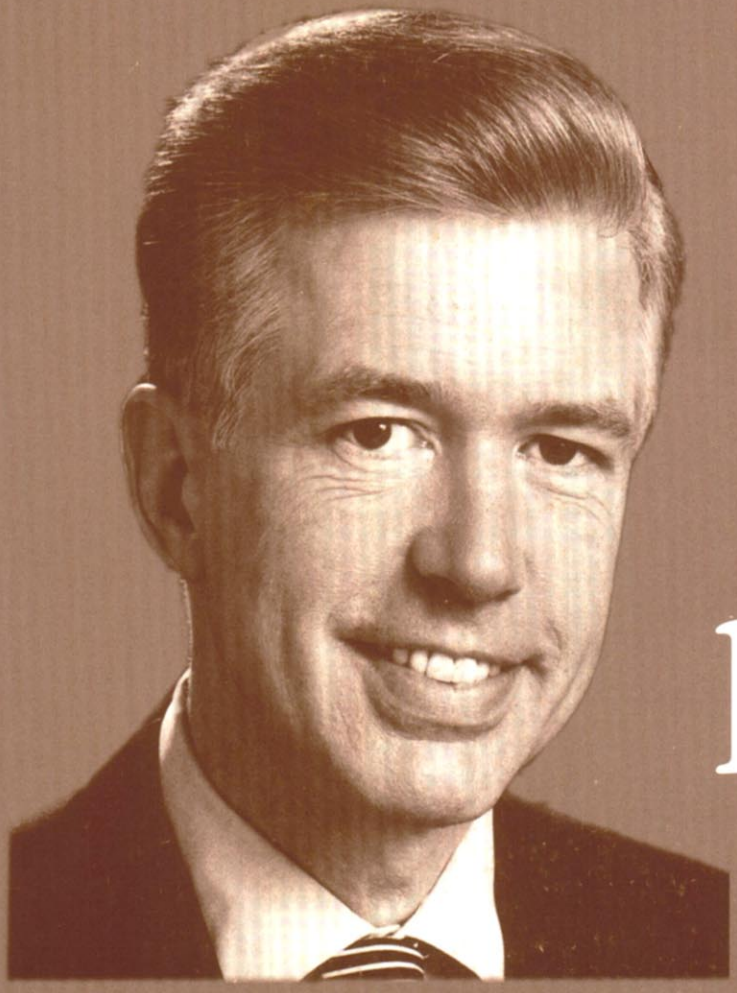
Political Difference Maker

Bill Saracino's quarter century quietly shaping Sacramento politics

by Pat Nolan

The Charmed Life of Gray Davis



by Rob Stutzman

Special Report: William E. Simon, Jr. — New GOP face for governor

Orange County Recall: The Upper Limit on Union Power? — Mark Bucher

Will our courts allow a wife to starve her husband to death? — Mark S. Pulliam

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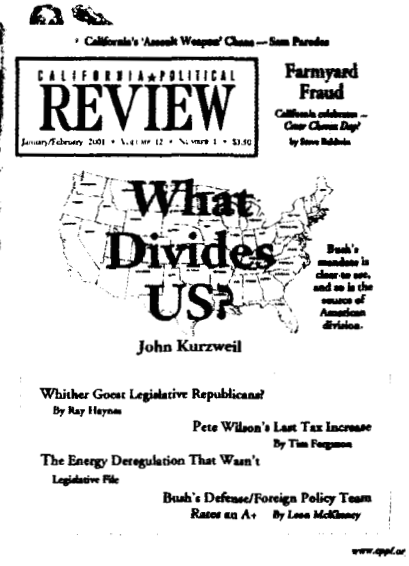

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— Irving Kristol

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CORRESPONDENCE

Energy Agony

Recent reports that California's energy crisis stems from a 1996 "deregulation" bill signed by GOP Governor Pete Wilson, presumably enacted by a GOP Legislature are, to say the least, embarrassing and disappointing. Senate Republican Leader Jim Brulte earnestly heralded this "deregulation" in *CPR* ("A New Consumer Friendly Electric Power Industry," Nov./Dec. 1996). I find his sweeping praise a bit confounding: "a significant step in guaranteeing consumers lower rates, increased reliability, and better service," "Deliver electric power to consumers at significant savings," a contrived system of "WEPEX" and "ISO" (hardly resembling a true free market) supposedly to "improve our ability to compete," "establish a uniform marketplace," "light our bridge to the future," and so on. One certainly doesn't enjoy making things worse for Mr. Brulte than they already must be, but his thorough explanation seems called for, with, one hopes, a strong dose of humility and honesty.

The main problem with California's energy supply is that, thanks to excessive regulation, there've been no new power plants for some time. Environmentalists dictate policy even though their case remains largely unproven.

It's time the GOP gave up playing to the crowd, trying to appear "moderate," and instead acquired the know-how, ability, and courage to start offering solid, sound, *radical* thought on crucial issues affecting the very system and culture we still live under (barely). Instead of posturing for votes from various groups on the left by devising new ideas for legislation in every sphere of life (activities concerned mainly with the acquisition or exercise of authority or government), the GOP should relearn ideas, principles or commitments geared to ordered freedoms and sound economics that only a dedicted opposition to demagoguery can offer. It does no good to achieve power if one lacks the maturity and knowledge to exercise it wisely.

W. Edward Chynoweth
Sanger

Waltzing Matilda

Dear Mr. Tennyson:

Your comments on "Waltzing Matilda" (Criticus, "Signs and Portents," *CPR*, Jan./Feb., 2001) were correct but incomplete. Recall the last verse (I apologize for errors; it's been about 50 years since I heard it):

> Up rode the squatter mounted on his thoroughbred;
> Up rode the troopers one-two-three.
> "Where's that jolly jumbuck you've got in your tucker bag?
> You'll come a-waltzing matilda with me."

That is, the landowner and the cops demand to see the stolen lamb, and tell the thief he must come with them. Thus "waltzing matilda" means not only going along with the jolly swagman, but also going along with the cops to jail (excuse me, gaol).

Greetings from a fellow nit-picker!

David C. Stolinsky, MD
West Hollywood

Criticus responds to Dr. Stolinsky in his column in this issue's Arts & Culture section.

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SACRAMENTO SPECTATOR

There are few heroes so far in the energy "crisis" gripping our state — and its Capitol. The utilities themselves face the results of accepting a re-regulation scheme they knew had serious flaws and allowing it to be called de-regulation. Hence de-regulation gets a most undeserved black eye. Democrats' suggestion, of course, is a government take over. This should appeal to anyone who wants electricity delivered with the efficiency of the DMV and the care of the IRS.

Republicans have, until recently, been peripheral players at best, standing around knowing that they should "do something," but not at all sure what that something is. All this has made for a garbled picture presented to the public unsure about whom to be mad at. That of course leaves it up to the media to decide. And they — surprise! — have adopted the leftish view that it is the evil private companies who are at fault.

More recently the GOP has shown some initiative in trying to educate the public as to the true nature of the current power shortfall. The California GOP has run a radio commercial, which, considering the modest dollar amount spent on airing it, has done a wonderful job of irking Governor Davis and the Democrats. They are dispeptic about this, of course, because they realize — even if the GOP does not — that they are *very* vulnerable to a voter backlash on this whole issue.

Republicans in Sacramento need to accept that, given their small numbers in the

Legislature, they will be no part of a solution to this crisis. They can suggest minor modifications to the Democrats' plan, but their impact will be miniscule. The GOP really can do nothing in this instance. Which, frankly, ought to be seen as good news, freeing them to manuever and attempt to take maximum political advantage of the situation.

Crass? Well, perhaps a little. But we know what Bob Mulholland and the Democrats would be doing if the situation were reversed. Remember it was all of three days into President Bush's term before they tried to blame the crisis on him! And politics — being war fought by other means — requires an ability and a willingness to take advantage of your opponent's weaknesses. If the GOP could contribute to solving the crisis, then it should do so. But it cannot.

That being the case, the Elephant Party should be sharpening up its tusks to hoist the Democrats onto this very sharp stick. The Senate Republicans are not going to do that, fearful that their leader (Jim Brulte) will be unavoidably damaged by such moves given his co-authorship, with Steve Peace, of the original "de-regulation." The Assembly pachyderms had been equally moribund until recently. Assembly GOP Leader Bill Campbell just recently brought on Sacramento consultant Sal Russo to plan strategy during the duration of the energy crisis. This is a good first step. The next necessary step, of course, will be for the members to listen to and actually implement whatever plan Russo puts together.

The silver lining — or, more appropriately, the political megawatts — behind this cloud, is a chance to put and keep the governor, the Democrats, and the environmental extremists on the defensive. It would be a pity if Republicans muff this chance.

— A. P. C.

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THE LAW

Playing God

Considering a man fully conscious and able to perform simple tasks, but who is cognitively impaired — a man whose wife wants him killed — an Appeals Court found 'no presumption' in favor of life. The case now goes to the Supreme Court.

MARK S. PULLIAM

Rose Wendland wants to kill her husband. What's more, she wants a judge's permission in advance to make the killing legal. So far, she has been unsuccessful, but she is appealing the decision of San Joaquin County Superior Court Judge Bob W. McNatt denying her request. In a pending case, *In re Wendland,* the California Supreme Court will decide whether her 49-year-old husband, Robert Wendland, will live or die. What did he do to deserve this fate? Is he guilty of a heinous crime? Is he a vicious predator, a danger to society? No, Robert Wendland is totally innocent. He harmed no one, except himself.

As a result of a single-vehicle auto accident in 1993, Robert Wendland suffered a brain injury, resulting in severe cognitive impairment. His "crime" is that he has become a burden to his family. (Actually, it is more accurate to say he is an *inconvenience* to his family rather than a *burden* inasmuch as he is institutionalized, his wife and children never visit him, and his care is paid for by Medi-Cal.) Although he is conscious and can perform simple tasks, he is partially paralyzed and cannot speak, feed himself, or control his bowels and bladder. He receives food and fluid through a feeding tube. Rose Wendland wants to kill her husband by removing the feeding tube and thereby cause him to die of dehydration and/or starvation, a painful process that could last two weeks or even a month. Absent the withholding of food and water, Robert Wendland could survive many years (a normal life expectancy) in his current condition.

Mark S. Pulliam, California Political Review's *legal issues correspondent, is an attorney in private practice in San Diego.*

Rose Wendland contends that her husband's death is justified on two grounds: (1) she asserts that if he were competent, Robert Wendland would have refused "life-sustaining treatment" (*i.e.,* a feeding tube) in his present circumstances; and (2) in any event, killing him is in his best interest. On the former point, Robert Wendland left no pre-incapacity written instructions and obviously made no statements following the accident; Rose Wendland's belief that her husband would want to die is based on two oral statements she alleges he made prior to the accident (including one made when he had been drinking) to the effect that he wouldn't want to be "kept alive" if he were "a vegetable." On the latter point, whether Robert Wendland would be better off dead, a controversy rages in "bioethics" circles regarding when, and under what circumstances, life is not worth living.

That Robert Wendland — a physically-healthy, conscious adult exhibiting cognitive activity — would be the subject of such a debate is both ominous and deeply disturbing because his condition is comparable to that of an untold number of accident victims, stroke patients, and persons suffering from Alzheimer's disease or senility. If Robert Wendland can be condemned to death because his life is "not worth living," hundreds of thousands (or even millions) of others may follow. This is precisely the result that is favored by "philosophers" and "bioethicists" such as Princeton University Professor Peter Singer, who advocates infanticide for Down's syndrome babies and argues that some "self-aware" mammals (such as pigs, dogs, and sheep) have a superior right to life to newborn infants and cogni-

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THE FRONT LINE

From Oz to the Twilight Zone

by Ray Haynes

It feels like the Twilight Zone in Sacramento these days. For our first two years with Davis as governor, we were in the Land of Oz. The business community was very much like the Scarecrow: if they only had a brain. Our more moderate Republican friends were like the cowardly lion: looking for courage. The GOP in general was a lot like Dorothy: following the yellow brick road to the City of Oz, trying to find their way back to Kansas (the days of majorities and power).

John Burton and his Democrats were much like the Wicked Witch of the West and her flying monkeys, attacking us all along the way. Environmentalists were the flowers that put us to sleep on the way to the Enchanted City. Davis was, of course, the Wizard: lots of noise, but little substance. All thunder, no lightning. All whipped cream, no strawberries. Pick an analogy conveying a governor without ideas or substance, and it fits Davis. Sounded good; did nothing.

Then little Toto, the innocuous dog that followed us all the way to Oz, pulled back the curtain, and the true nature of the Wizard was revealed. "Toto" is our current electricity crisis. Davis, we see, is a governor who not only can't, but won't, make a decision. We have left Oz in Sacramento, and entered the Twilight Zone.

In this Twilight Zone, Davis is attacked in the media as indecisive and corrupt. Democrats use the "n-word" in public, and are called to account. The business community is calling for more government regulations. Big Utilities, flush with money throughout their history, are going bankrupt. Republicans attack the Utility Companies as robber barons who have a legal and moral responsibility to allow the state to steal all their assets. Tom McClintock and I get into intellectual fights about the role of government and regulatory authorities, and responsibility for the crisis. Jim Brulte and John McGraw get into fights about how Republican Party money ought to be spent (OK, that is not outside normal reality, but it *is* happening). And *all* the Republicans are standing up to the hare-brained ideas of the Democrats. Even Senator Bruce McPherson is fighting with the Democrats, and speaking up about it. The world is topsy-turvy, and there is no end in sight.

There *are* some signs of reality. The Democrats still want a government takeover of the electricity market, including the transmission lines and the generation capacity. At least they are still all socialists first, and that has granted us all some comfort in a world where experience no longer accurately predicts behavior.

We are, without question, in a crisis. The state is buying over $50 million of power per day. Our $8 billion surplus is rapidly evaporating, and no one knows how we are going to get out of this problem. That is not to say we don't have solutions. We do. There is only one solution that will work, and that is to waive the environmental regulations that impede and delay the construction of new power generators.

We need more electricity supply and we need it now. We will experience both high energy prices and blackouts until we increase supply. The length of the crisis will depend on how fast we develop new supplies of energy, and the only barrier to those new supplies is unreasonable government regulations, mostly related to environmental

(Please turn to page 31)

Republican Whip Ray Haynes represents California's 36th state Senate District.

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tively impaired adults. In his just-released book, *Culture of Death,* Wesley J. Smith charges that the leaders of the bioethics movement "reject what until now has been the core value of Western civilization: that all human beings possess equal moral worth." A final point, not mentioned by Rose Wendland to justify killing Robert, but relevant to the case even so: if Robert dies, Rose will collect on a life insurance policy.

The case of Robert Wendland also raises some unprecedented legal issues. Never before in California has a court-appointed conservator (a "guardian" assigned to make decisions on behalf of an incapacitated person) such as Rose Wendland tried to terminate the life of a non-comatose, non-terminally ill person who is not in a "persistent vegetative state" (the medical term for having no mental functions). In fact, until now no court anywhere in the United States has authorized the removal of a feeding tube from a person in Robert Wendland's condition, and the state supreme courts of Michigan and Wisconsin have specifically refused to authorize what Rose Wendland seeks to do. Nevertheless, Rose Wendland's position is supported by the California Medical Association, several hospitals (including some Catholic-run institutions), and the American Civil Liberties Union.

FIGHTING FOR Robert Wendland's life is his 78-year-old mother, Florence, his sister, several anti-euthanasia groups, and many disability rights organizations. Robert Wendland would be dead already had Florence not received an anonymous telephone call (presumably from a hospital employee) in August 1995 informing her that Rose Wendland had directed the removal of Robert's feeding tube, and that the hospital was obediently complying. (So much for the doctors' Hippocratic Oath: "First, do no harm.") Florence had to get a temporary restraining order to prevent her son's death by starvation/dehydration. Rose Wendland and Florence

WHAT YOU HAVEN'T BEEN TOLD ABOUT GUN CONTROL

By SAM PAREDES

1911: Turkey establishes gun control. From 1915-1917, 1.5 million Armenians, unable to defend themselves, were rounded up and exterminated.

1929: The Soviet Union establishes gun control. From 1929 to 1953, approximately 20 million dissidents, unable to defend themselves, were rounded up and exterminated.

1935: China establishes gun control. From 1948 to 1952, 20 million political dissidents, unable to defend themselves, were rounded up and exterminated.

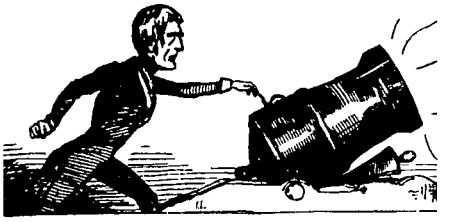
1938: Germany establishes gun control. From 1939 to 1945, 13 million Jews, gypsies, and other arbitrary categories of people unable to defend themselves, were rounded up and exterminated.

1964: Guatemala establishes gun control. From 1964 to 1981 100,000 Mayan Indians, unable to defend themselves, were rounded up and exterminated.

1966: Cambodia establishes gun control. From 1975 to 1977, one million "educated" people, unable to defend themselves, were rounded up and exterminated.

1970: Uganda establishes gun control. From 1971 to 1979, 300,000 Christians, unable to defend themselves, were rounded up and exterminated.

1999: Australia establishes gun control. Law-abiding citizens surrendered 640,381 personal firearms for destruction, costing the government more than $500 million. Now, Australia-wide: homicides up 3.2%, assaults up 8%, and armed robberies up 44%. In the state of Victoria, homicides with firearms are up 300%. Over the previous 25 years, figures show a steady decrease in armed robbery. Australian politicians can't explain why "safety" has not improved after so monumental an effort to "rid society of guns."



In 100 years, more than 56 million people, unable to defend themselves due to gun control, have lost their lives and property. Guns in the hands of honest citizens save lives and property. Gun control affects law-abiding citizens; criminals always find ways to obtain weapons. Next time someone suggests the world might be safer with gun control, ask them which group of citizens they want exterminated.

Sam Paredes is executive director of Gun Owners of California.

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SPECIAL REPORT

New GOP face for governor.

We may not, after all, see the adage "you can't beat something with nothing" tested in next year's governor's race. William E. Simon, Jr., son of former GOP Treasury Secretary Bill Simon, intends to challenge Gray Davis's bid for a second term. Yes, Secretary of State Bill Jones is usually mentioned when talk turns to the 2002 gubernatorial campaign, and naturally enough since Jones is the state's only GOP statewide office holder. But, with all respect, Jones has never stirred much interest, much less enthusiasm, even within his own Party as a potential statewide leader.

Jones was installed briefly in 1992 as Assembly Republican leader by a Governor Pete Wilson-orchestrated coup. Those were the days Wilson and his staff talked about creating a "New Republican Party" freed from its majority Reaganite wing's debilitating influence. GOP Assembly Leader Ross Johnson was deposed and Jones installed as a first step toward an Assembly GOP caucus run by Wilson clones: conservative on fiscal policy, moderate on social issues, the saying went. Wilson had demonstrated what that meant in 1991, ramming through the largest state tax increase in American history and vetoing a so-called "gay rights" bill.

But Wilson's "New Republican" Party never flew, being strafed, bombed, and mostly annihilated on the tarmac in the 1992 primaries, with conservatives winning handily up and down the state. In 1993, Jim Brulte became Assembly GOP leader, Jones returning to the back benches. Since then, he has twice been elected secretary of state but has remained, as a political force, almost invisible. He most recently reported $118,000 in on

hand campaign funds. Davis has $26 million.

Arnold Schwarzenegger, also mentioned, has indicated he'll decide about running the end of this year. If he sticks to that, he'll be too late. Rumors say he really wants to wait for 2006.

Thus, prospects for any strong GOP challenge appeared slight until word leaked that Simon plans to run. No official announcement has been made, but sources close to Simon say he *is* running, plans a "serious" campaign, designed to win, and will be hitting the speaking circuit by summer. Now he is "listening and talking to folks" in politics around the state.

William E. Simon, Jr., is an investment banker, co-founder and co-chairman of William E. Simon & Sons: holder of major stakes in real estate projects valued at more than $1 billion and in companies topping $2 billion in sales. He could self-finance his campaign, but won't, knowing the best way to re-do Al Checchi is to try to win on dollars alone, without building a broad, solid political base of donors and prominent supporters.

Simon sits on the Heritage Foundation board and is plainly intrigued by Davis's fumbling of the energy crisis, both points indicating a serious interest in pubic policy and thus, one hopes, a small chance he will repeat Dan Lungren's disastrous attempt to run an "issue-less" campaign. It is also reassuring that he doesn't need this job and is unlikely, so far anyway, to be thinking beyond Sacramento to Washington.

A Republican who wants to impact the direction of the state in service to a cause larger than himself has already bypassed the self-centered motivation that doomed so many GOP candidacies here during the past decade. Bill Simon, Jr., appears to be one to watch.

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Wendland have been struggling over Robert's fate ever since. Following a hearing in September 1995, the trial court refused to allow Rose Wendland to remove her husband's feeding tube. After the Court of Appeal ordered that independent counsel be appointed to represent Robert Wendland in 1996, Rose persisted in her quest for judicial permission to kill her husband. Trial was held in late 1997. The Court ruled in March 1998 prohibiting Rose from withdrawing her husband's feeding tube. Judge McNatt, who had previously held that "To bring about the death of an innocent person who still finds meaning and enjoyment in life would be barbaric," explained the ruling:

> "[Rose] has not met her duty and burden to show by clear and convincing evidence that conservatee Robert Wendland, who is not in a persistent vegetative state nor suffering from a terminal illness, would, under the circumstances, want to die. Conservator has likewise not met her burden of establishing that the withdrawal of artificially delivered nutrition and hydration is commensurate with conservatee's best interests ...."

Judge McNatt added that in these circumstances, the Court must err on the side of caution: preserving life.

Rose Wendland appealed. On February 24, 2000, the state's Third District Court of Appeal issued an Orwellian decision disagreeing with the trial court's reasoning. Citing a Probate Code statute (section 2355) that authorizes a conservator to decide in good faith to provide health care that is in the best interests of the conservatee, and to require the conservatee to receive such health care, the Court concluded that this includes the *withholding* of life-sustaining nutrition/hydration from a conservatee. Death is a form of health care. Even worse, the Court also extended to Robert Wendland's case a dubious 1988 precedent authorizing the removal of a feeding tube from a comatose patient in a persistent vegetative state (PVS), who had been unconscious for five years and had no hope of recovery. The Court of Appeal stated that "the case of a non-PVS patient presents an equally compelling case for application of section 2355 as a PVS patient." This is ludicrous. The presence of cognitive activity means a non-PVS person is able to find meaning and enjoyment in life, unlike a person in a coma.

Under the Court of Appeal's interpretation of section 2355, literally the only thing a conservator must show in order to end the life of a conscious, non-PVS conservatee is that the decision was made in "good faith"; the trial court is not authorized to undertake an independent examination of whether the conservatee would want to die or whether death is in the conservatee's best interests! And in response to Florence Wendland's argument that delegating such life-and-death decisions to a conservator under those circumstances violates the conservatee's constitutional right to life, the Court of Appeal cavalierly held that "even assuming there is 'state action' [as if a statute authorizing one person to kill another is not state action!], ... a guardian's withdrawal of life-sustaining treatment from a ward does not constitute a deprivation of life; rather it allows the disease to take its natural course." Thus, depriving a helpless person of food and water, thereby starving him to death, is not the same as killing him; nature is just taking its course. The same could be said of suffocation, inhaling poison gas, or death by lethal injection.

Most fundamentally, the Court of Appeal disagreed with Judge McNatt's premise that the Court should err in favor of preserving life. In chilling words that could have been written by Jack Kevorkian, the Court of Appeal stated that "there should be no presumption in favor of continued existence." The case was ordered remanded to the trial court for further proceedings, as a result of which Rose Wendland may finally prevail in her longstanding quest to end her husband's life. The California Supreme Court granted review of the Court of Appeal decision on June 21, 2000, but the case has not yet been argued.

The California Supreme Court should reverse the Court of Appeal and uphold Judge McNatt's ruling in favor of preserving life. As the Declaration of Independence states, we are endowed by our Creator with certain inalienable rights, including the right to life. The government cannot give one person the legal right to kill another, especially conscious persons exhibiting cognitive activity. It may be that Robert Wendland is doomed to spend the rest of his days in a wheelchair, watching TV or listening to music. Who is to say that such an existence is devoid of meaning? The notion that certain types of cognitive impairment make a person's life "not worth living," or that disabled people are "better off dead" is the ultimate "slippery slope." As euthanasia opponent Wesley Smith wrote in his previous book, *Forced Exit,*

> "We don't get to *Brave New World* in one giant leap.

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> Rather, the descent to depravity is reached by small steps. First, suicide is promoted as a virtue .... Then follows mercy killing of the terminally ill. From there, it is a hop, skip, and a jump to killing people who don't have a good 'quality' of life, perhaps with the prospect of organ harvesting thrown in as a plum to society."

As Smith reminds us, "once we claim the right to judge who should live and die on the basis of subjective standards such as ... quality of life, ... we have created a disposable caste: fellow human beings who can be killed without legal consequence ...." *Roe v. Wade* and the culture of death it spawned have ushered us to the brink of the abyss. As we peer into the void below we can dimly see the shadow of barbarism and inhumanity. We must step back to avoid being swept over the edge.

THE MIDNIGHT ECONOMIST

Communism, Fascism, and The New Deal

While they rejected its overt violence, the economics of fascism looked good to many New Dealers.

WILLIAM R. ALLEN

So we have lurched and staggered through another century. In some respects — in medicine and mechanics, in engineering and entertainment — the experience has had its gratifications. But the record is largely embarrassing and dismaying in social organization and activity: In politics and economics, we have much reason to weep and cry havoc. Two strains and stains have been "communism" and "fascism." These are not labels of transcendental clarity, and definitions and interpretations differ. But however designated and described in detail, you can recognize the excrement when you see it.

Almost all of us have rejoiced in the abject failure of attempts to establish communism (or its diluted understudy and presumed precursor, socialism) in the United States, although such vicious nonsense has been a major force in every other democratic country. In their new book, *It Didn't Happen Here: Why Socialism Failed in the United States,* Seymour Martin Lipset and Gary Marks contend: "Distinctive elements of American culture — antistatism and individualism — negated the appeal of socialism for the mass of American workers."

It is a different story with key aspects of fascism. Consider the saga of the New Deal of the 1930s.

* * * * *

It has been argued that there were two New Deals. The first centered on "the cartelism of the NRA," and did not last long. The second was a "free-spending and experimental period that saw ... the injection of the federal government into every aspect of national life."

The dichotomy can be too neatly drawn. The psychological and philosophical orientation toward dominant government initiatives and assumed responsibilities; the reliance on state intervention in and appreciable superseding of the market; the increasing pervasiveness of bureaucratic decree and manipulation — such characteristics provided an underlying consistency for a long episode otherwise marked heavily by analytic incoherence, strategic uncertainty, political inconstancy, and policy improvisation.

In the early 1930s, some articulate people professed to see the workable future in the Russian experience. But communistic state ownership of property was a bit much for all but a few. For many more, fascism approximated the best of all worlds: the trappings and facade of private property and enterprise would be largely retained but in a setting of close alliance among big government, big business, and big labor — with government being the overarching director and final arbiter. It is not to be suggested that President Franklin D. Roosevelt and his Brain Trusters applauded Mussolini's aberrant political attitudes — the exultation of violence and ruthlessness and irrationality. But the thrust of fascistic economic intent and organization looked good to many New Dealers.

The "corporate" economy pursued in Italy would eliminate the individualistic competition of the mar-

William R. Allen, from his vantage point in the UCLA Department of Economics, tries to humble the clowns of communism and the fools of fascism.

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ketplace and the struggle between capital and labor. Such wasteful disruption would be replaced by collectivized economic sectors, with mandatory confederation of union and of industry leaders agreeing on fair wages, fair prices, and fair modes of business behavior, all coordinated and approved by government, and with personal gain subordinated to the community's good.

Six weeks after his inauguration in 1933, in a "fireside chat," the president characterized the United States version of economic fascism:

> It is wholly wrong to call the measures that we have taken government control of farming, industry, and transportation. It is rather a partnership between government and farming and industry and transportation, not partnership in profits, for the profits still go to the citizens, but rather a partnership in planning, and a partnership to see that the plans are carried out .... Government ought to have the right and will have the right, after surveying and planning for an industry, to prevent ... unfair practices and to enforce this agreement by the authority of government.

The president is reported to have remarked that he had "never felt surer of anything in ... [his] life than ... [he did] of the soundness of this passage."

* * * * *

A Harvard historian has described his lasting love of the great experiment of the 1930s. The scholar concedes that "the New Deal was not a 'social revolution'"; "it did not bring full employment"; it "did not bring significant redistribution of income"; and it did not "set the country on the path toward economic growth." If the New Deal failed in its major efforts, what was so great about it?

Why, the glory of the New Deal is that it was "a revolution in political ideas." The historian was ghostwriter for two of the "brain trusters." In both positions, he says, the "preoccupation" was "to persuade people to look to Washington for help," to convince them that "government is the solution." That government failed, that government could not do what the rousing rhetoric called for and claimed, was not very important. The critical thing was for the president and his brain trusters to convince people that there is no beneficial market mechanism; that the community cannot prosper or even survive through individual initiative and accountability in a stable setting of wide options provided by a severely contained government; that government — with neither market incentives nor market guidance — must be our chief producer (and distributor) of wealth; that government — reeking of purity and wisdom — will save us from the nefarious forces of greed and stupidity.

The historian must realize that history has been dominated by dominating government and that that domination has yielded a consistent story of both tyranny and poverty. Fascism, communism, and socialism — along with the New Deal — have failed to produce the goods. But the historian claims — unhappily, with much reason — that in the "revolution of ideas," the New Dealers largely "succeeded." It matters little to these purported descendants of Thomas Jefferson that the people live poorly, so long as they embrace Big Brother. For them, ideology is vastly more important than performance.

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Follow the Bouncing Columnists

At the Times, *Mike Downey is out, Peter King returns — and the Grey Whale's pundit migration is having a musical-chairs effect on other big papers in the state.*

TIM W. FERGUSON

THERE'S NO more influential space in a newspaper than a column on Page A3 or the front of the local section, preferably with one's stamp-size photo attached. A regular slot on the editorial or op-ed page is second best.

So the movement of such pundits can be grounds for a bit of Kremlinology. This winter saw the most significant changes at the *Los Angeles Times,* but with a musical-chairs effect on other big papers in the state.

At the *Times,* now being run by managers chosen by parent Tribune Co. of Chicago, the ax finally fell on Mike Downey, the former sportswriter whom the former regime had placed on the "state" page, presumably to liven things up. He was a waste of time. His politics, best as could be told, were those of your average journalist chatting at the water cooler about events of the day. About as deep and about as funny. Except that the news types never accepted him so he had to do his chatting in print. His spot was filled at first by Peter King, a former *Times* man who'd gone on to be a pundit for the *Bees.* King, a more pronounced liberal, was as welcomed by the journos as Downey was scorned. His return to the *Times* means he will no longer appear in papers that like to pick up *Bee* material, like the *Orange County Register.* Downey's real sub, Steve Lopez of *Time* magazine, dislikes sprawl and Pat Buchanan's politics and depicted Gray Davis in 1999 as "the most fearless governor in America."

At the same time, the *Register* has been picking up Daniel Weintraub (a former *Registerite,* as well as former *Times* man), who now is a shoe-leather *Bee* pundit. Weintraub's right-of-center bent contrasts with Peter Schrag's left-of-center orientation and works out—when combined with editorial columnist Dan Walters—to give papers taking the McClatchy feed a better balance than the *Times* offered before or now.

The state's second largest daily, the *San Francisco Chronicle* (now owned by Hearst Corp.), runs liberals like Rob Morse and Stephanie Salter who moved over from the old *Examiner,* along with a bazaar of slice-of-life stuff befitting its hometown.

On the local pages, the *Times* continues to offer politically-correct pabulum while most of the papers just offer pabulum. Gordon Dillow of the *Orange County Register* — sometimes dissed by his Diversity-driven newsroom colleagues — is known to stoke conservative fires with the likes of his column questioning the cost of Martin Luther King Day, which is basically a holiday for the government sector. (Dare he repeat the question for Cesar Chavez Day?) Needless to say, that kind of thinking is rare in all of the metro California dailies.

* * *

For those with the time and inclination to read the opinion pages, the energy crunch has been well-enough explained. Probably no pundit did a better job of it than Holman Jenkins of the *Wall Street Journal* (writing from New York), whose columns got picked up in a few California outlets. Jenkins early on fingered Gray Davis for dodging and weaving, trying to escape responsibility for letting a true marketplace work. Other commentators made much the same point to those with a sufficient attention span. Several pointed out that the rules in force go back to Pete Wilson's days.

But the sad fact is that most Californians will never

Tim W. Ferguson is California Political Review's *press critic.*

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begin to understand why their electricity and natural gas were put in jeopardy. The political rhetoric, which is to say the television reports and a good deal of the front-page action, advanced the debate little beyond the "folly of deregulation" line. This tag will prove useful for years to come to statists who don't want to let any important economic activity out of the government's hands. Harvey Rosenfeld will get another crack at taking over the power companies with an initiative. Maybe he'll throw an elected utilities czar in for good measure.

A SIMPLE COMPETING notion, that piggish but prissy California is getting just what it deserved, was a favorite of national media. The conservative spin on this is that an unwillingness to build power plants was coming home to roost. There is some truth to this — environmental and NIMBY objections make any major undertaking a nightmare — but this line of thinking entails a concept of self-sufficiency that is as uneconomic as the imposition of price controls. The problem isn't necessarily the failure to build plants as much as it is the failure to allow power providers to source the energy on a reliable, long-term basis from *wherever* it is best sourced. And to allow that power to be priced to the user at a level commensurate with its cost.

Thanks to the governor, the Legislature, Edison, PG&E, and the Public Utilities Commission, the sins of local plant opponents were compounded and California was caught short. The politicians' first instinct was to blame the out-of-state power generators and the federal officials for not clamping down on them. The press did a respectable job of pushing beyond that, but the task of explaining this breakdown is Herculean.

Apparently figuring that Rupert Murdoch is onto something in offering mass-market media that challenge the liberal press hegemony (witness the success of Fox News Channel), entrepreneurs of the right — perhaps following the example of Rev. Moon at the *Washington Times* — have now established or bought "second" daily papers in the Pittsburgh, Portland, and Honolulu markets. In California, the closest thing to such an upstart is Ted Fang and his odd new *Examiner* in San Francisco, not exactly an antidote to Hearst's *Chron* or the muffled liberalism of the *San Jose Mercury-News.*

The best political show of the year is the Los Angeles mayor's race, and as usual the best guide to the local action is lefty Harold Meyerson of the *LA Weekly.* Meyerson was busy directing traffic for former Assembly Speaker Antonio Villaraigosa, who must eliminate both City Attorney James Hahn (favorite of the city black politicians) and Representative Xavier Becerra in order to make it to a runoff. Villaraigosa has courted the labor-union base that has energized the Democrat Party, much to the delighted notice of the *Weekly.* The left's candidate is likely to face one of this threesome: Steven Soboroff, a business-lobby fixer for outgoing Mayor Richard Riordan; Joel Wachs, a homosexual San Fernando Valley Democrat who makes periodic appeals to middle-class taxpayers, and state Controller Kathleen Connell, who tried to endear herself to Westside environmentalists as well as the Emily List fems. For Meyerson, the election is a Latino version of either 1969 or 1973, the years Tom Bradley first lost, and then won, a breakthrough mayoral election against the old white establishment.

The April 10 election promises to be such a donnybrook that a *Los Angeles Times* columnist might even be moved to write about it.

The *Times's* national political analyst Ron Brownstein was rewarded with a compliment from the Hon. William Jefferson Clinton upon the president's notorious departure from office. Clinton told *Brill's Content* that Brownstein explains issues well and gets things right, unlike much of the pesky press corps.

Skelton of the *Times* will give almost anyone a respectful column in return for an interview, but how long will even *he* let Arnold Schwarzenegger off the hook for serious policy ideas? Who is doing briefings for the Terminator, anyway? Hello??

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Labor Union Watch

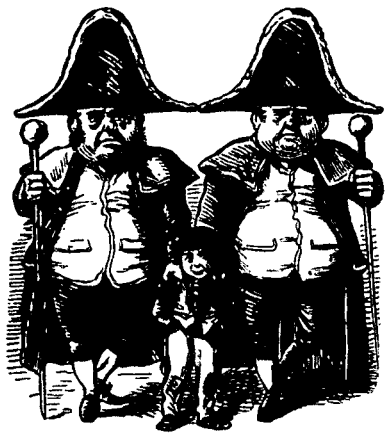
McCain-Feingold Leaves Labor Off the Hook

In March the U.S. Senate will revisit the issue of campaign finance reform, specifically in the form of Senator John McCain's and Senator Russell Feingold's Bipartisan Campaign Reform Act of 2001. While the legislation's proponentscall it fair and even-handed, its impact will be nothing of the sort. In fact, if it becomes law, life will not change much in the political offices of the AFL-CIO, the National Education Association (NEA), the American Federation of State, County, and Municipal Employees (AFSCME), the American Federation of Teachers, or other powerful labor unions.

Most importantly, labor unions will continue to be free to use member dues for political purposes without an individual member's consent. To mollify their critics, Senators McCain and Feingold have included a section aimed at "codifying" the U.S. Supreme Court's 1988 decision in Communications Workers of America v. Beck. Yet this provision actually denigrates, rather than improves, workers' control over the use of their dues for politics. It will have little impact on union political funding because it (1) does not require up-front consent for the use of dues for politics, (2) applies only

(Please turn to page 14)

Ronald Nehring is director of National Campaigns for Americans for Tax Reform, based in San Diego.



Recall: The Upper Limit on Union Power?

Would American politics be different if office holders were recalled simply for refusing to vote as instructed by a particular special interest? If the answer to this question is yes, you might want to take note of what is happening in the Orange Unified School District, in the heart of Orange County. On June 5, 2001, a recall election will determine whether three Orange Unified trustees should be removed from office. Two of these trustees are up for reelection in November, 2001 — a mere five months after the recall vote.

What did these three trustees do that is so egregious that they must be ousted just months from the regularly scheduled election? They had the backbone to say "No" to the teachers' union bosses who, until the current conservative majority was voted into office, had successfully won approval of contracts that had left the district $150 million in debt. The recall was launched by the unions without even the pretense that it was precipitated by anything other than the refusal of the trustees to approve the salaries and benefits un-

(Please turn to page 31)

Mark Bucher, an Orange County businessman, can be reached at 714/573-2201 or at MarkBucher@email.com. Stop the Union Takeover, the official committee fighting the recall, can be reached at StoptheUnionTakeover.com.

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to union non-members (workers in union shops who have resigned their union membership but must still pay dues to the union), (3) entrusts enforcement to the National Labor Relations Board, an agency historically reluctant to enforce *Beck* rights, and (4) narrows the range of objectionable union spending under *Beck*.

NO CORPORATION or PAC in America today can legally go into a worker's paycheck and take money for political purposes without the worker's consent. That ability belongs solely to organized labor, and will continue to produce millions of dollars for labor's political action, with or without McCain-Feingold.

While McCain-Feingold won't significantly impact how labor unions collect their political dollars, it also won't impact most of the ways they spend political dollars. Notwithstanding the considerable media attention given "soft money" and "issue advocacy" that Senators McCain and Feingold would curtail, these forms of political spending have never formed the bulk of labor's political muscle, and unions moved even further away from these tactics several years ago.

According to Gerald McEntee, leader of AFSCME, unions recognized that the millions spent in soft money contributions to the Democrats and issue advocacy did not produce the intended results in 1996. Their goal of defeating a large share of 36 Republican freshmen was not met. Consequently, unions shifted their political tactics, and their budgets accordingly.

Instead of relying on contributions to political parties and issue advocacy television advertising, national research recently con-

ducted by the Evergreen Freedom Foundation in Washington State and The Commonwealth Foundation in Pennsylvania revealed that today the bulk of labor unions' political action is focused on highly sophisticated grassroots organizing and membership mobilization through more than 45,000 union locals. With a massive political training operation, sophisticated and experienced field operatives, extensive voter databases, and more than 16 million union households as a base for mobilization, many of today's labor unions resemble political party operations even more than do the Republican or Democrat National Committees.

The result? "Gingrich said they would pick up House seats," McEntee boasted, "Lott said they lost; the Republican right wing lost a tremendous number of seats in the House. In California, we elected Gray Davis." While labor's strategic goal of defeating Republicans remained the same, the tactical shift paid off.

Not only are labor's new tactics more effective; they're also shielded from new regulation under the provisions of McCain-Feingold. The almost $7 million spent by just four unions to communicate political propaganda to their members in the 2000 election would not have been affected had McCain-Feingold passed in 1999. Neither would the 70 field operatives sent by the AFL-CIO and the 27 operatives sent by the NEA into targeted districts to defeat congressional Republicans in 2000. Direct mail, telephone banks, voter identification and mobilization efforts, web posting of candidate endorsements, and similar activities funded out of union general treasuries will continue unabated under McCain-Feingold.

GIVEN THIS level of labor union political activity, it's no surprise that in many cases only 20 percent of a member's dues are used for purposes directly related to collective bargaining. The Bipartisan Campaign Reform Act of 2001 will certainly make it more difficult for some citizens and groups to engage in political speech. But while the legislation's sponsors may intend it to apply fairly, it actually will hand a lopsided benefit labor officials and the candidates they support.

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Political Difference Maker

Bill Saracino's quarter century quietly shaping Sacramento politics.

by Pat Nolan

When Ronald Reagan first ran for governor in 1966, he spied a plaque on the desk of Art MacDonald, an executive with Coca-Cola Bottling of Los Angeles. Reagan remarked how much he liked the plaque, and MacDonald gave it to him. Reagan adopted that motto as his own, and began including it in his stump speeches. After he was elected, he placed the plaque on his desk in the governor's office and later took it with him to the Oval Office. It read: "There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit."

That same motto well describes the career of Bill Saracino, who this month left the Sacramento political scene for the mission field of Hollywood. For more than 35 years Bill has selflessly worked to elect con-

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Former California Republican Assembly Leader Pat Nolan is president of Justice Fellowship. His book, Just By Faith, *will be published September 5 by Servant Publishing Company.*

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servative candidates in federal, state, and local races, and never cared who took credit for his good work. Few outside the "conservative movement" have heard of Bill Saracino, and there are even many in the movement who don't know all that he has done to advance the cause. But few in our lifetime have contributed as much as Bill has for conservatives and for California.

I guess I should reveal up front that Bill was best man in my wedding and is godfather to our first child, Courtney. He eulogized my father, and served as my chief of staff when I was Assembly Republican Leader. So, some might question my objectivity. On the contrary, I think I've had a vantage point like few others, observing Bill in all manner of situations for more than three decades. In an environment of intrigue and shifting alliances, I know of no one who dislikes Bill, which makes him unique in the political world. I can think of no finer example of a Christian gentleman than Bill Saracino.

Just mention 'Scorp' to Senator Helms or any veteran of Jesse's first campaign and a huge smile will light up their faces.

Through his work as executive director of Gun Owners of California, beginning in the 1970s and continuing, on and off at the end, for more than two decades, Bill directed one of the most successful candidate recruitment and campaign management and funding operations in the state, tipping the balance to conservatives in primaries and pushing them across the line to victory in general elections on the long march to a Republican majority. He put Gun Owner's resources behind such conservative leaders as Dick Mountjoy, Dennis Brown, Bill Baker, John Lewis, Eric Seastrand, Don Sebastiani, Curt Pringle, and Tom McClintock. This was the group that stiffened the backbone of newly-elected Governor George Deukmejian by refusing to go along with his proposed tax increase, forcing him to cut government spending, and earning him the nickname "the Iron Duke." Bill's help was an essential ingredient in the election of virtually every conservative leader that came to the Assembly in the '70s, '80s and '90s.

I could never have won my first primary without Bill's help; the Gun Owners PAC was the largest contributor to my campaign. Bill not only sent money; he frequently visited our headquarters to check on how we were doing and give us critical advice. He even pounded the pavement in many precincts in Glendale and Burbank.

Caucus also, helping such conservative stalwarts as John Doolittle, Don Rogers, Maurice Johannessen, and Rob Hurtt. When Bill took over Gun Owners there were only 23 Republicans in the state Assembly. After his first election, there were 30. The Caucus had grown to 33 by the time Bill became Caucus chief of staff in 1984. The following election he guided us to 36 Republicans, just five shy of a majority.

Bill returned to Gun Owners and continued heling conservatives in Senate and Assembly races, providing critical support in electing a Republican majority in the Assembly in 1994, resulting in the first Republican Speaker in three decades. For all his years of work, Bill's signal role in these victories has never been adequately acknowledged. And Bill would just as soon leave it that way.

Bill got his start in the 1964 Goldwater campaign, went on to be chairman of his area in the Youth for Reagan in 1966, statewide chairman of Youth for Rafferty in 1968, and Chairman of California Young Americans for Freedom in the early '70s. He traveled across country to help direct Jesse Helms' first campaign for Senate in 1972. He wowed the North Carolina staff with his keen political instincts and kept them laughing with his sense of humor and practical jokes. The North Carolinians had trouble pronouncing Saracino so he was known as "Scorp" to one and all. Just mention Scorp to Senator Helms or any veteran of Jesse's first campaign and a huge smile will light up their faces.

He worked hard to nominate Reagan over Ford in 1976. After Ford won, Reagan kindly offered to give a concession speech endorsing the appointed president. When Ronald and Nancy Reagan entered the convention hall, the arena erupted in thundering applause and cheers resounding back and forth for well over 20 minutes. It showed how Reagan had captured the hearts, if not the votes, of the delegates. We were shocked when Betty Ford got up and danced with Tony Orlando in the middle of the ovation for the Reagans. It was a crass effort to draw attention from the Reagans, and we all resented it. Bill summed up the pettiness of Mrs. Ford's stunt when he leaned over to me and said, "When it's all said and done, she is still just a dancehall broad."

Bill is not all work, however. His tastes run the gamut from Beethoven to the Three Stooges, and he is an

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avid Dodger fan. He enjoys fine wines and excellent restaurants, and he plays the piano beautifully. One of the ironies of Bill's career is that this man who did so much to protect the Second Amendment rights for California's sportsmen doesn't own a gun and doesn't hunt, (except for targeting liberals). He knows that diminishing the constitutional rights of any one individual undercuts everyone's freedom.

In the last few years Bill confronted a challenge much more difficult than any campaign he ever waged. Overnight, he went deaf. His condition was diagnosed — not very helpfully — as Sudden Deafness Syndrome. Despite the poor prognosis for a cure, Bill never lost his optimism and his sense of humor. Eventually surgeons restored his hearing. However, for many months it appeared that his condition was irreversible. To see the grace and courage with which Bill confronted the possibility of permanent deafness was inspiring.

The foundation laid by Ronald Reagan had to be built upon, and no one built on it better than Bill.

And now, Bill's considerable talents will be focused on restoring decency to television. He moves south to Hollywood to head the Parents Television Council, which has been effective at calling attention to the depravity of much of prime time television programming. Because of Bill's many connections with the studios (his father was MGM's longest-serving employee and a renowned music editor, and his cousin is an Academy Award winning film editor) he will be able to marshal many resources within the industry to this important effort.

Even though Hollywood's culture is focused on credits (witness the interminable list at the end of any film), Bill will continue living by Ronald Reagan's motto: doing much good without minding who gets the credit.

Some additional words from a few of Bill's many friends:

JOHN KURZWEIL

Victor Lazlow: "I try."
Rick: "We all try. You succeed."

— Casablanca

A LOT OF effort is expended in politics, most of it leading to little or no effect. This is especially true for California conservatives, whose efforts proceed without benefit of even a single large newspaper supporting their message or arguing their cause. On the contrary, we oppose a foe propped up by a media propaganda apparatus worth billions of dollars operating 24-hours every day of the year. Two factors account for whatever victories we achieve:

One: lunacy cannot forever prevail over reality, no matter how much propaganda supports it.

Two: people such as Bill Saracino. The difference is that we all, like Rick, try, but Bill, like Lazlow, succeeds. The Godfather of conservative victories in California the last three decades is, of course, Ronald Reagan, who opened the minds of a whole generation to the truth and beauty of the American idea. But this foundation had to be built upon, and no one built on it better than Bill. Out of my little circle of once-young conservatives from Southern California, Bill was first to go to Sacramento and, as it turns out, last to leave. As head of H.L. Richardson's Gun Owners of California, Bill was the catalyst for the rest of us to follow during the ensuing 10 years: Pat Nolan, Dennis Brown, John Lewis, and Ed Royce to the Legislature; to non-elective political jobs, John Feliz, Pete Sheridan, and, eventually, me. There certainly are others I am leaving out. The point is: Bill was central to creating a conservative team effectively fighting for Reagan's conservative principles in Sacramento long after Reagan had moved on to Washington and, then, retirement. In addition, he, with Senator Richardson, led the effort to defeat a typically idiotic gun control initiative back in the '80s that began, as I recall, 'way ahead, only to finish, after the Saracino treatment, 'way behind. For this gift alone, which set left-wing efforts to destroy our Second Amendment rights back decades, all of California owes Bill a profound thank-you.

What Bill brought to the fight, besides his considerable talents and political acumen, was a simple faith in the principles of our civilization, which give us our freedom. Had *more* of California's post-Reagan Republican leaders, in politics and business, possessed the power of such a faith, the Democrats, rather than the GOP, would now be wondering how ours came to be a one-party state. Bill now moves on to prime-time television, an arena in which, no doubt, his experience dealing with vapid, power-crazed excrescences from Willie Brown to Paul Horcher and Doris Allen will stand him in good stead. But more importantly, Bill has shown he

John Kurzweil is California Political Review's *editor.*

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knows how to bring the best out of good people. Television, in this regard, may seem an even more hopeless project than Sacramento, but I believe Bill will find those good people in Hollywood, build a dedicated, effective team, and succeed again where so many others, alas, can only say they tried.

DENNIS BROWN

I AM JUST one of many who would never have been elected to the California Legislature without the support, trust, and friendship of Bill Saracino. In 1978, I was seen only as a sacrificial lamb against an entrenched Democrat incumbent by our state's Republican leadership until Bill, believing I could win, put his faith in my candidacy.

No one in California, over the past 25 years, has done more to elect real conservatives to office than Bill Saracino. The conservative movement, nationally and throughout our state, owes a tremendous debt of gratitude to Bill Saracino that we can never adequately repay. Thank you, Bill.

Aside from the realm of politics, Bill is one of the most loyal and wonderful friends a person can have.

Dennis Brown, chief of staff to Senator Ross Johnson, served in the California Legislature from 1979 to 1990.

JOHN LEWIS

LAST YEAR I concluded my twentieth and final year as a California legislator. As I look back even beyond those 20 years I can say there have been few if any individuals who have had as profound an effect on my political life as Bill Saracino. When we first met in college, Bill, several years my senior, took me under his tutelage and, in fact, was the chief lobbyist for my appointment as state Chairman of Young Americans for Freedom. Those early years shaped my keen interest in government and politics. Several years later, in 1980, as an underdog candidate of state Assembly, Bill, then the executive director of Gun Owners of California, helped provide the financial wherewithal to produce a stunning political upset. My story can be repeated many times over. Great job, Bill

Now retired from the state Legislature, Senator Lewis is president of Lewis Consulting Group in Orange.

I HAVE known Bill Saracino for more than a quarter century. He remains one of the most caustic wits on the political scene. His trenchant observations, biting sarcasm, and superior and memorable, if bizarre, sense of humor make him one of the more fun people in California politics. Sacramento's loss will be a solid gain for Southern California, where his move will significantly impact dwindling Republican registration.

Arnold Steinberg is a political strategist.

SAM PAREDES

FOR THE past 25 years Bill Saracino has been dedicated to defending freedom and the U.S. Constitution. He has played a major role in the election of more conservative legislators and the defeat of more radical-liberals in Sacramento and Washington than any consultant I can think of. He led the successful statewide effort to defeat Proposition 15 in 1982, the most pervasive assault on gun rights in California history. I will miss his wit, wisdom, unparalleled sense of humor, and unfailing outlook on life. He has met personal challenges with grace and distinction, and I consider it an honor to have worked with him and to call him my friend.

Sam Paredes is executive director of Gun Owners of California.

BILL HAS quietly and steadfastly advocated for conservative causes as long as I have known him. For Bill, his beliefs are more than words. He "walks the walk" and serves as a true mentor to many who will long benefit from his example. His influence is felt not just in California but throughout the country, literally. Aside from the realm of politics, Bill is one of the most loyal and wonderful friends a person can have. Once he is your friend, you are stuck for life with Mr. Bill. EDI.

Edi Thompson, currently a policy consultant for the California Senate Republican Policy staff, has known Bill Saracino for more than 20 years.

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The Charmed Life of Gray Davis

by Rob Stutzman

by Rob Stutzman

It is strange the way the ignorant and inexperienced so often and so undeservedly succeed when the informed and the experienced fail.

Assessing the career of Gray Davis just offers too many easy gratuitous shots that critics of any ilk are overly prone to take. So let's set the ground rules for attempting to assess seriously the governor's career, specifically his first two years in the Capitol's corner offices. The ensuing paragraphs will make no cheap shot references to "Missing" ads on milk cartons, Jerry Brown's administration, Aqua Net or using gray as an adjective for Gray. But anything else I can think of will be fair game.

Politicians' careers can usually be defined as being pulled toward one of two magnetic poles. At the

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northern cap is the Statesman Pole, and at the southern end the Climber Pole. Early on in his career Gray impaled himself on the Climber Pole. Most politicians, even the climbers, will at times feel a momentary pull to the climes of statesmanship. If Gray's ever felt that tug, he's kept it a well-guarded secret.

TWO YEARS into his governorship of the most powerful state in the union, Gray owns a career void of any substantive accomplishment or even evidence of a commitment to a conviction. Oh sure, there's plenty of evidence of commitment to relationships that spawn political expediency, but — quick — tell me: what does Gray Davis stand for?

Gray has modeled himself after the master *sans* the master's gifts. He's Bill Clinton, without the personality, supreme intellect, or Rock 'n Roll sex appeal. But he's a climber, unfettered by convictions, which any Clinton disciple would admire.

The best illustration supporting this case is to recall how Davis approached his bookend runs for big time office in the 1990s. In 1992, he ran for the U.S. Senate by declaring himself as the "only true liberal" in the Democrat primary eventually won by Dianne Feinstein. By 1998, he was a rabid proponent of the death penalty and, with a straight face, advocated "caning" as a legitimate mode of punishment against certain criminals. From DiFi's left to Dan Lungren's right, Gray zigged and zagged.

His record-setting landslide win over Lungren was the culmination of a perfect chameleon strategy. He privately told business owners he was for liability caps and then schmoozed trial lawyers, telling them he opposed caps. He voted against the death penalty as an assemblyman and embraced it running for governor. As lieutenant governor, he broke a deadlocked Senate, casting a vote for a poison pill amendment to kill legislation that would prevent same-sex marriages. Then he opposed such unions as a candidate. Davis attacked Lungren for supporting oil drilling off the California coast even though he had specifically voted for drilling off of Long Beach.

He never missed a chance to contrast his service in Vietnam with Lungren's student deferment history. In the only pre-primary debate, he claimed that having been to "war" helped qualify him to govern even though his service record indicates he was a radio repairman, not a combat soldier. He didn't sleep on the front lines. Worst, Davis was chief-of-staff in an administration that embraced seditionists, who aided the enemy, like Tom Hayden and Edison Miller.

Davis' bland persona and understated manner projected the image of a competent technocrat who

Only months into his administration, in an amazing display of underdeveloped political skills infused with a heavy dose of arrogance, Davis told the *San Francisco Chronicle* editorial board that the job of the Legislature was to implement *his* agenda.

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wouldn't screw-up the fantastic ride Californians found themselves enjoying. In a sense, he co-opted the advantage of party incumbency from Lungren by appearing to be a Democrat version of Pete Wilson, without the anti-Latino baggage.

So Gray takes the oath at the luckiest time anyone could arrive in the Corner Office. The economy is *en fuego.* The state's coffers are bursting with so much money he can fund liberal pet projects that have gone wanting since Jerry Brown rode his Plymouth into the Sacramento sunset, and still push through the largest tax cut in California history (that last fact just drives Wilson's old crew crazy, given the economy that they inherited in 1991). The good times also allowed Davis to rack-up record fundraising feats while basking in sunny approval ratings. What fabulous luck.

Davis may have come into office with more enemies in his own Party than across the aisle. Often taken lightly, Gray never seems to have developed the usual legion of friends and allies during his career. His narcissism and infamous temper often blocked cultivation of a loyal following within Democrat ranks. In fact, during the gubernatorial campaign, many in his Party still resented his over-the-top vicious attack on Feinstein in the '92 Senate Primary — the now infamous television ad comparing DiFi to Leona Helmsley.

There was a sense among Democrats that Davis was too much of a light-weight ever to become governor. Then-Speaker of the Assembly Antonio Villaraigosa backed the cash-rich Al Checchi in the '98 primary, as did Superintendent of Public Instruction Delaine Eastin. Even Feinstein offered only a delayed and tepid endorsement of Davis after he emerged from the three-way primary as the winner.

But Gray strutted into office determined not to miss his opportunity to kick his detractors in the teeth. He was like the kid in high school that no one liked, and even made fun of; but then, years after graduation, all the kids from school worked at the factory he ran and he was going to make sure he extracted the respect and deference he had never gained until he held a position of authority.

GRAY'S DOGHOUSE had lots of tenants, including Eastin and Villaraigosa. As governor, Davis shunned Eastin, attempting to relegate her to a secondary role in making education policy. Too make matters more difficult for Eastin, former state Senator Gary Hart was Davis' first Education Secretary, and Hart is thought of by his former colleagues and the resident press as being a serious pol than Eastin. Villaraigosa was never offered the portion of limelight you would expect a governor to share occasionally with a speaker from his own Party.

But while Gray was marking turf around Sacramento, the state's most powerful legislator was becoming annoyed with the residual odor.

Senate President Pro Tem John Burton (D-San Francisco) is the Capitol's remaining vestige of old-style machine politics of days past. That means he's an ideologue liberal, but it also means he is the most experienced and shrewdest legislative manager left on the scene in Sacramento in the era of term limits. Burton was the most important person in the Capitol with whom Davis could have cultivated a working relationship that could have been mutually beneficial. In '99, the liberals in the Assembly had lost self-control after 16 years of GOP governors. At last, their long-awaited Democrat had arrived on the scene, and there was hardly a radical left-wing idea that didn't get introduced as a bill.

But Davis, who campaigned as a centrist, was not about to repeat the errors of Bill Clinton's first 100 days. He actively tweaked liberal special interest groups like the California Teacher's Association. His message was clear. He was going to govern from the middle.

And Burton's Senate was naturally aligned to become the filter that kept Villaraigosa's Assembly from depositing flaming bags of liberal dung on Gray's doorstep.

In early 1999, Democrat insiders agreed there was a natural, powerful alliance for Davis to form with Burton. The Senate leader could block undesirable liberal legislation from hitting Gray's desk, and then Gray could ensure certain concessions to Burton about the upcoming reapportionment.

Ah yes, reapportionment. If not for the energy crisis, the political news in Sacramento these days would be dominated by the impending remap of California's legislative districts for the next decade. In past years, the suspense was how the lines would be drawn between the Democrats and the Republicans. This year, that storyline is virtually a sub-plot to how the lines will be draw between the Democrats.

During the past 20 years, Latinos have risen to share the power base within the California Democrat Party. They have done so by winning legislative districts that used to be occupied by white liberals based in the West Side of Los Angeles. The Waxman/Berman machine was the most famous manifestation of this phenomenon. The machine carefully crafted its

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alliances with the urban blacks in their Party and it is from this old alliance that Davis emerged in politics. This is *also* the base within the Party to which *Burton* owes his allegiance, even though he and his late brother Phil drove their own San Francisco-based machine.

Fast-forward to today. The Latinos are on the verge of dominating the state's Democrat Party. Whether they will or not has a lot to do with how the new districts are drawn. Westside liberal whites and urban blacks know they are being crowded out of districts that once were theirs. The tensions this scenario creates among Democrats can be severe. When former Assemblyman Richard Katz ran for a San Fernando Valley state Senate seat in a special election in 1997, Los Angeles City Councilman Richard Alarcon defeated him. Senator Richard Polanco, a force within Latino politics, directed Alarcon's race. The race was expensive and nasty, and it was an early skirmish of a looming intra-Party war. And Davis too has knocked heads with Latino political leaders. Villaraigosa endorsed Chechhi in the primary, and Davis openly shunned Lieutenant Governor Cruz Bustamante for most of 1999.

So, given all this, a Davis/Burton alliance seemed natural, developing as a powerful symbiosis between the two most powerful men in Sacramento. It never happened. Alliances be damned. Gray was governor and he was going to rub everyone's nose in it. Including Burton's. Only months into his administration, in an amazing display of underdeveloped political skills infused with a heavy dose of arrogance, Davis told the *San Francisco Chronicle* editorial board that the job of the Legislature was to implement his agenda. The *Chronicle* editors were stunned and gleefully broke the story that the governor of California apparently failed to comprehend division of power between the three equally important branches of government. Davis, who obviously never read George Washington's first inaugural address, apparently thought he'd been made king.

BURTON WAS furious. The Senate leader lashed back harshly in the press with tirades that had to be carefully edited by reporters working for family newspapers. The damage was done. Any possible strong working alliance was gone. If it had been a football game, Keith Jackson would have been heard roaring, "Fuuummmmbbllllllle."

On the other hand, as his political guru Garry South would likely argue, Davis has richly benefited from drawing criticism from whiny liberal Democrat legislators. After all, how better to perpetuate the image of being a centrist than take arrows from the left? In fact, the harshest and largest volume of criticism against the governor the past two years has come from Democrats, as Republicans have bumbled through messy internecine brawls and have generally lacked a discernible message until this year. Over the past two years, the state GOP made no commitment to orchestrating any kind of campaign against the governor. Reporters complained that the only good tips they got about Davis came from Democrats, while Republicans did nothing to expose his weaknesses. And he's got weaknesses.

The complete capitulation to the gaming Indian tribes by Davis in the compact he negotiated was done in a hasty, ill-conceived manner. But Davis's having backed an armored truck up to the reservations to haul away cash from the tribes went unassailed because too many Republicans had smoked the same peace pipe. Then there's the power crisis. Davis is unable to duck responsibility for this mess, even though it existed when he arrived in office, because he left it to fester for two years until the problems fully manifested themselves. Republicans again have been tepid in holding the governor accountable, largely because their names, or those of their GOP predecessors, are listed as authors and supporters of the so-called "deregulation" bill.

Even Davis's shameless attempts to enrich his trial lawyer friends go virtually unnoticed. At the 1996 Democrat National Convention, Davis was struggling to find allies for his gubernatorial candidacy. His Party expected Feinstein to run again for the office she had always coveted and that Wilson had denied her in 1990. At the convention, Davis strategized with trial lawyer allies who were engaged in a coordinated coalition of lawsuits against the tobacco industry. By this time, several states had sued the industry to recoup health care costs borne by taxpayers. California had filed no such suit because GOP nominee-to-be Attorney General Lungren had determined that California law specifically provided immunity to Tobacco from such liability. The trial lawyers and Davis decided that the then-lieutenant governor would join a private plaintiff suit in California and attempt to represent the state. The lawyers would benefit from the high-profile plaintiff and the outside chance that a judge would let Davis intervene on behalf of the state. Gray would be positioned to capitalize on a hot issue that he could directly engage Lungren on while he was making trial lawyers happy, something that always seemed to help his campaign coffers.

Davis was never given standing to represent taxpayers and his suit ran afoul because the tobacco im-

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At the 1996 Democrat National Convention, Davis strategized with trial lawyer allies who were engaged in a coordinated coalition of lawsuits against the tobacco industry.

munity cited by Lungren was a real barrier. The issue never jelled into a campaign issue because Lungren ultimately sued after the Legislature removed the immunity in summer 1997.

Back to today — Davis's trial lawyer friends are now asking for compensation for the lawsuit under terms of the national tobacco settlement. They claim the Davis suit was the salient event that forced Lungren to sue and thus gave California access to the national settlement and about $1 billion per year for the next 25 years. In the application submitted to the private arbitration panel, South describes Davis as "courageous" for signing onto the suit. Attorney General Bill Lockyer and state Senator Joe Dunn (a partner in a plaintiff firm that filed against tobacco) all hailed Davis's magnificent courage and leadership in filing the suit.

It should go without saying that being anti-tobacco in California was hardly "courageous." In fact, Davis' blatant attempts to gain publicity with this lawsuit became comedic when he flew to Dallas in 1997 to try to represent California at the bargaining table during early settlement talks. An attorney general from a suing state reported to Lungren that Davis entered the room and promptly sat on the wrong side of the table. He was asked to leave. Now Davis is trying to help his trial lawyer buddies get a big payday. If they succeed, think any of those bucks will make their way back to Gray's campaign coffers?

Two years gone and not a single substantive accomplishment. His efforts on the power crisis will lead to rate hikes, which will endanger his re-election. The lack of substance is becoming noticeable to a national media that only months ago were beginning to fawn over him as a contender for the White House in 2004. By all rights, Davis is a contender. Any California governor is a contender. Especially one that's a climber. But is not even a climber at a disadvantage when the daily obsessions have to do with fundraising

So far he's getting away with it. He's circled the track twice and has two more trips to go in the first term. The first furlong's been tough this year. The energy problems are long-term with no solutions that spare politicians collateral damage. The centrist approach is fine, but sooner or later the unions that stood by him when he was running third in the '98 primary field will want their payoffs, probably, for example, in the form of additional pay raises for public employees. All of a sudden, the conventional wisdom of a second Davis term is being tempered with the awareness that Davis is not building a substantive record. If the economy is not roaring and crime does not remin at 30-year lows, the governor who promised to get everyone around the table to resolve problems might be vulnerable. He'll be loaded with money and Republicans will have to find a prime time candidate (hence the usual Arnold Schwarzenegger rumors), but Davis must clear the re-election hurdle before there's serious White House talk.

The urge to dismiss Davis on the national stage is strong. After all, we know he's an empty suit. He's not highly regarded even within his own Party, here or nationally. He's never done anything of great merit in all his years of public service. But then there are two reasons for caution that come to mind. One, these were the same reasons Gray would never become governor. Second, there's this guy living in Chappaqua, New York, that wasn't qualified either.

How far Gray can run out this string of luck without being a politician of consequence or *gravitas?* Better lucky than good.

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America, a Christian Nation?

The answer is both yes and no, depending on what one means by the phrase.

by Carl Pearlston

Christian religious references in the recent Presidential Inauguration prayers reopened the debate over religion in America's public life. Professor Alan Dershowitz led off with an article strongly objecting that America wasn't a Christian nation; *Boston Globe* columnist Jeff Jacoby replied that it certainly was. Who is right? Is America a Christian nation? The answer is both yes and no, depending on what one means by the phrase. When President Harry Truman wrote to Pope Pius XII in 1947 that "This is a Christian nation," he certainly did not mean that the United States has an official or legally-preferred religion or church. Nor did he mean to slight adherents of non-Christian religions. But he certainly *did* mean to recognize that this nation, its institutions and laws, was founded on Biblical principles basic to Christianity and to Judaism from which it flowed. As he told an Attorney Generals' Conference in 1950, "The fundamental basis of this nation's laws was given to Moses on the Mount. The fundamental basis of our Bill of Rights comes from the teachings we get from Exodus and Saint Matthew, from Isaiah and Saint Paul. I don't think we emphasize that enough these days. If we don't have a proper fundamental moral background, we will finally end up with a totalitarian government which does not believe in rights for anybody except the State."

Carl Pearlston, a Southern California attorney specializing in alternative dispute resolution, is a member of the board of Toward Tradition.

Woodrow Wilson, in his election campaign for president, made the same point: "A nation which does not remember what it was yesterday, does not know what it is today, nor what it is trying to do. We are trying to do a futile thing if we do not know where we came from or what we have been about .... America was born a Christian nation. America was born to exemplify that devotion to the tenets of righteousness which are derived from the revelations of Holy Scripture."

The crucial role of Christianity in this nation's formation is not without dispute, although as Revolutionary leader Patrick Henry said: "It cannot be emphasized too strongly or too often that this great nation was founded, not by religionists, but by Christians; not on religions, but on the gospel of Jesus Christ. For this very reason peoples of other faiths have been afforded asylum, prosperity, and freedom of worship."

John Ashcroft was roundly criticized for his "No King but Jesus" speech at Bob Jones University, but he was only reminding us of our colonial and Revolutionary War heritage. In a 1774 report to King George, the governor of Boston noted: "If you ask an American, who is his master? He will tell you he has none, nor any governor but Jesus Christ." The pre-war colonial Committees of Correspondence soon made this the American motto: "No King but King Jesus." And this sentiment was carried over into the 1783 peace treaty with Great Britain ending that war, which begins "In the name of the most Holy and Undivided Trinity ...."

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It is frequently asserted by those seeking to minimize Christianity's central role in our nation's founding and history, that the founders themselves were not practicing Christians, but rather were Deists or Agnostics. But in a 1962 speech to Congress, Senator Robert Byrd noted that of the 55 delegates to the Constitutional Convention, 29 were Anglicans, 16-to-18 were Calvinists, and among the rest were two Methodists, two Lutherans, two Roman Catholics, one lapsed Quaker/sometimes Anglican, and only one open Deist — Benjamin Franklin, who attended all Christian worships and called for public prayer.

Samuel Chase was a signer of the Declaration of Independence, a justice of the U.S. Supreme Court, and, as chief justice of the state of Maryland, in 1799 (*Runkel v. Winemiller)* wrote: "By our form of government, the Christian religion is the established religion ...." (Maryland was one of nine states having established churches supported by taxpayers when the Constitution was adopted; these churches were gradually disestablished, the last in 1833. The Maryland constitution, typical of many of the states, restricted public office to Christians until, in 1851, it was changed to allow Jews who believed in a future state of rewards and punishments to serve also.)

'It cannot be emphasized too strongly or too often that this great nation was founded, not by religionists, but by Christians; not on religions, but on the gospel of Jesus Christ.'

— Patrick Henry

Christianity pervaded the laws and the legal system of the States and the federal government. For example, Judge Nathaniel Freeman in 1802 charged Massachusetts Grand Juries as follows: "The laws of the Christian system, as embraced by the Bible, must be respected as of high authority in all our courts .... [Our government] originating in the voluntary compact of a people tian religion, it may be considered, not as republic Rome was, a Pagan, but a Christian republic." In 1811 (*People v. Ruggles)*, New York Chief Justice James Kent held: "'... whatever strikes at the root of Christianity tends manifestly to the dissolution of civil government ....' We are a Christian people .... Christianity in its enlarged sense, as a religion revealed and taught in the Bible, is part and parcel of the law of the land ...." In 1824, the Pennsylvania Supreme court held (*Updegraph v. The Commonwealth):* "Christianity, general Christianity, is and always has been a part of the common law ... not Christianity founded on any particular religious tenets; not Christianity with an established church, but Christianity with liberty of conscience to all men ...."

Our sixth president, John Quincy Adams, said "From the day of the Declaration ... they [the American people] were bound by the laws of God, which they all, and by the laws of The Gospel, which they nearly all, acknowledge as the rules of their conduct."

John Jay, the first chief justice of the U.S. Supreme Court, said: "Providence has given to our people the choice of their ruler, and it is the duty, as well as the privilege and interest of our Christian nation to select and prefer Christians for their rulers." This was said despite the explicit provision in the federal Constitution forbidding any religious test for federal public office.

In 1854, The United States House of Representatives passed a resolution: "The great vital and conservative element in our system is the belief of our people in the pure doctrines and divine truths of the gospel of Jesus Christ." During the Civil War, The Senate passed a resolution in 1863: "... devoutly recognizing the supreme authority and just government of Almighty God ... encouraged ... to seek Him for succor according to His appointed way, through Jesus Christ, the Senate ... does hereby request the President ... to set aside a day for national prayer and humiliation." President Lincoln promptly issued a Proclamation Appointing a National Fast Day, stating "...

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compliance with the request and fully concurring in the view of the Senate ...."

Congress in essence summarized all this preceding history when it passed a Joint Resolution designating 1983 as The Year of the Bible, stating: "Whereas the Bible, the Word of God, has made a unique contribution in shaping the United States as a distinctive and blessed nation and people; ... deeply held religious convictions springing from the Holy Scriptures led to the early settlement of our Nation; ... Biblical teachings inspired concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States .... designate 1983 as a national 'Year of the Bible' in recognition of both the formative influence the Bible has been for our Nation, and our national need to study and apply the teachings of the Holy Scriptures." In 1988, a Joint Resolution of Congress declared that the first Thursday in May of each year is to be a National Day of Prayer.

The historical record from the foregoing quotes from past presidents, leaders, congressmen, jurists and court decisions, seems firmly on the side of those claiming that America was born and maintained as a Christian nation whose laws, morals, and customs derive from Christian (and Jewish) scriptures. The opponents of this view, however, point to the first sentence of Article 11 of the obscure Tripoli Treaty of 1796 as seeming conclusive proof that America was *never* a Christian nation. Before discussing that critical sentence, the treaty itself should be read in context with all of the Barbary treaties.

The Barbary States on the coast of North Africa, comprising the Moslem States of Morocco, Algiers, Tunis, and Tripoli, attacked ships in their coastal waters which would not pay tribute, and held captives for ransom. The European nations had treaties with those states, under which, in exchange for tribute, shipping was protected. After the Revolutionary War, our new nation followed the lead of those European nations and entered into similar treaties. Breach of those treaties by the Barbary nations led to the Barbary wars in 1801.

The first treaty was with Morocco in 1786, negotiated by Jefferson, Adams, and Franklin. It was written in Arabic with an English translation. The treaty language assumes that the world was divided between Christians and Moors (Moslems), e.g. "If we shall be at war with any Christian Power ....", "... no Vessel whatever belonging either to Moorish or Christian Powers with whom the United States may be at War ....", "... be their enemies Moors or Christians." These along with numerous references to God, e.g., "In the name of Almighty God", are the only references to religion in this treaty of Peace and Friendship.

The next was the Treaty of Peace and Amity with Algiers in 1795, written in Turkish. The only reference to religion was in Article 17 which gave the Consul of the United States "... Liberty to Exercise his Religion in his own House [and] all Slaves of the Same Religion shall not be impeded in going to Said Consul's house at hours of prayer ...." The Consul's house was to function in lieu of a Christian church.

The Treaty of Amity, Commerce, and Navigation with Tunis in 1797 was in Turkish with a French translation. It begins "God is infinite," and refers to the Ottoman Emperor "whose realm may God prosper," and to the president of the United States "... the most distinguished among those who profess the religion of the Messiah ...." Other than a reference to "the Christian year," there is no further mention of religion.

The Treaty of Peace and Friendship with Tripoli was signed in 1796 in Arabic, and was later translated into English by Joel Barlow, United States Consul General at Algiers. Except for the typical phrases "Praise be to God" and "whom God Exalt," there is no reference to religion other than the aforesaid remarkable Article 11, which reads:

> As the government of the United States of America is not in any sense founded on the Christian Religion, as it has in itself no character of enmity against the laws, religion or tranquility of Musselmen, — and as the said States never have entered into any war or act of hostility against any Mehomitan (sic) nation, it is declared by the parties that no pretext arising from religious opinions shall ever produce an interruption of the harmony existing between the two countries.

The treaty, with this language, was submitted

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to the Senate by President Adams, and was ratified. Thus, opponents of the "Christian nation" concept point to this seemingly official repudiation of the very idea. Yet the language is less a repudiation of the role of Christianity in the nation's heritage than a reminder that there was no national established church in the United States, unlike the European states Tripoli had dealt with previously. This reassured the Moslem Bey and his religious establishment that religion, in and of itself, would not be a basis of hostility between the two nations. None of the other similar treaties with the Barbary states, before or after this treaty, including the replacement treaties signed in 1804 after the Barbary Wars, have any language remotely similar.

And there is a deeper mystery: As noted in a footnote at page 1070 of the authoritative treatise by Bevans, *Treaties and other International Agreements of the United States of America*, citing treaty scholar Hunter Miller.

> While the Barlow translation quoted above has been printed in all official and unofficial treaty collections since 1797, most extraordinary (and wholly unexplained) is the fact that Article 11 of the Barlow translation, with its famous phrase 'the government of the United States of America is not in any sense founded on the Christian Religion.' *does not exist at all. There is no Article 11.* The Arabic text which is between Articles 10 and 12 is in form a letter, crude and flamboyant and withal quite unimportant, from the Dey of Algiers to the Pasha of Tripoli. How that script came to be written and to be regarded, as in the Barlow translation, as Article 11 of the treaty as there written, is a mystery and seemingly must remain so. Nothing in the diplomatic correspondence of the time throws any light whatever on the point." *(Emphasis added)*

The United States is still firmly part of a Western Civilization fashioned by a Judeo-Christian religious ethic and heritage.

In sum, the phrase was no doubt an invention of Mr. Barlow, who inserted it on his own, for his own, unknown, purposes. It was duly ratified without question by the United States Senate, which would no doubt be hesitant to object to any phraseology which was represented as desired by the Bey of Tripoli, with whom the United States wanted peaceful relations. It remains a mystery.

Can America still be called a Christian nation? It is certainly a more religiously pluralistic and diverse society than it was during the 18th, 19th, and early 20th centuries. There are increasing numbers of non-Christians emmigrating to this country, and there has been a rapid rise in adherents to Islam among our population. There are millions of Muslims, Jews, Buddhists, Shintoists, Unitarians, Hindus, Wiccans, Naturists, Agnostics, and Atheists, but Christians comprise roughly 84 percent of the population. Our constitutional legal system is still based on the Jewish/Christian Bible, not the Koran or other holy book. We still observe Sunday, the Christian Sabbath, as an official holiday. Easter and Christmas still have a special place in the holiday lexicon. The Ten Commandments are still on the wall behind the Supreme Court justices when they take the bench. Our coins still display the motto "In God We Trust." The United States is still firmly part of a Western Civilization fashioned by a Judeo-Christian religious ethic and heritage.

Alexis de Tocqueville observed more than a century and a half ago, "There is no country in the world where the Christian religion retains a greater influence over the souls of men than in America." That is still true today. We live, not under a government formally or legally allied or opposed to any particular religion, but in a nation where all are free to practice their religion, in accommodation with other religions, and in accordance with the basic principles of the nation, which are Christian in origin. It is in that sense that America may properly be referred to as a Christian nation.

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A California Political Review Debate

Why Can't We Be Friends?

When Republicans Fight, Only Democrats Win

By Michele Nash-Hoff

It's a shame that Jan Leja's making some mistakes in filling out her campaign forms was used as ammunition by her primary opponent, Russ Bogh, to try to take the seat away from her. In my opinion, a sore loser like Bogh is not a "moderate" — he is extreme in his personal ambition to win at all costs, even to the detriment of his own Party.

As the Republican nominee for the 76th Assembly District in San Diego, I had the opportunity to get to know Jan during our Republican Assembly Caucus candidate training and thereafter during our respective campaigns. I was impressed by Jan's experience, knowledge, and understanding of the issues. I know Jan would have been a great assemblywoman at a time when we desperately need more Republican women in the Assembly. Losing her as an assemblywoman will have repercussions for years to come because, as a Party, we have lost her not only for this term and the subsequent terms she could have served, but also as a potential candidate for higher office.

The Republican Assembly Caucus, led by Leader Scott Baugh, recruited a great slate of candidates in this past election. We had more women and more minority candidates than any previous statewide Republican slate. After we won our primaries to become the Republican nominees, we candidates put aside our philosophical differences on issues to focus on only one thing — winning our seats to try to regain the Assembly majority. The genuine spirit of cooperation established at our candidate training carried forward into our general election campaigns.

In the San Diego/Riverside/Orange County region, "moderates" helped "conservatives," and "conservatives" helped "moderates." We "comped" each other on attending our fund-raising events to expand our visibility and get to know each other's donors. We shared calendars so we wouldn't miss out on important events that would be beneficial for other candidates to attend. We planned joint candidate forums and press conferences, sharing the spotlight at media events. Assemblyman Tony Strickland even came down to San Diego twice to do a "gas tax payback" event to help 77th A.D. nominee — now Assemblyman — Jay La Seur and I get TV coverage.

While the spirit of cooperation prevailed at the Republican candidate level, it didn't carry over to all Republican clubs, Republican-leaning organizations, and donors. If these groups and individuals had put aside their phil-

Michele Nash-Hoff won the Republican nomination in California's 76th Assembly district.

To fight or not to fight? For first principles? Yes.

By John Kurzweil

I thank Michele Nash-Hoff for raising this issue. As I have said in the past, Republicans benefit from more honest consideration and criticism of their political efforts, if they lead to honest efforts to improve.

It is easy to agree that Republicans should be more unified and that, if we never fought among ourselves, we would win more battles against the Democrats. Ray Haynes has argued persuasively, and repeatedly, in these pages that failure to hang together has been the downfall of the GOP legislative caucuses, especially at budget time. But it is superficial to say merely: stop fighting; lay ideological differences aside; work together for the good of all, for the simple reason that people do not agree about what *is* the good of all. Obviously, for example, Russ Bogh could be expected to disagree with Ms. Nash-Hoff about the definition of "good" and "detriment" as applied to the Party.

John Kurzweil is CPR's editor.

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osophical differences on issues and supported all of us as the Republican nominees for our respective districts, we could have won seats instead of losing seats. Instead, conservatives mainly supported only conservative candidates, and moderates mainly supported only moderate candidates.

It wasn't only conservative candidates, such as Jan Leja, who were torpedoed by their moderate sore loser opponents. Three "moderate" winners of the March primary, Tom Harman, Lynn Daucher, and Dennis Yates, were sued by their respective conservative sore losers. These sore losers were supported in their suits by conservative organizations such as the California Right to Life PAC, the California Republican Assembly, and even the California Republican Party itself.

Tom Harman and Lynn Daucher were still able to win in their strong Republican districts but Dennis Yates lost his election. Harman and Daucher had to spend money defending themselves in these suits instead of being able to help fund some of the open-seat races in tougher districts like mine.

Even more outrageous was the attack by the California Right to Life PAC against Republican Assembly candidate Sue Jackson and Congressional candidates Steve Kuykendall and Jim Cuneen. The PAC's last minute mailer asking Republicans to vote for write-in candidates may have cost them the election in tight races.

This intra-Party sabotage must stop! We must work together and regain the confidence of the Republican donor base. An estimated 60 percent of businesses that traditionally support Republican candidates contributed to Democrat candidates instead because they saw the Republican Party as having no chance to win enough seats in the general election to play an influential role in state policy making, much less regain the majority.

This is why the Democrat Assembly Caucus raised far more money than the Republican Assembly Caucus ($20 million vs. $4 million). It is why the Republican Caucus couldn't fund all GOP Assembly races — even in such open seats as the 76th District, depriving candidates like me of badly-needed funds. "Conservatives" and the "moderates" fought each other instead of fighting the "political war" against the Democrats that David Horowitz constantly reminds us to wage.

With redistricting coming for the next election cycle, the only way we can hope to win more seats and work towards regaining the majority is to work together. Remember, when Republicans fight each other, only Democrats win!

Kurzweil

Ms. Nash-Hoff is not putting aside her philosophical differences with Mr. Bogh; on the contrary, she is criticizing him most forthrightly for transgressing what she considers a basic matter of political wisdom.

Is that bad? It would be better if such disagreements never arose among putative allies, but when they do, do we achieve anything by pretending they do not exist? If we place quotation marks around words like "conservative" and "moderate," does that make the fundamental differences of philosophy those labels designate go away? No — if I think legal abortion is the abridgement of every human right because it kills an innocent human being, and you consider the procedure no different from an appendectomy, we can, certainly, sometimes temporarily set our disagreement aside to work together for some shared end, but at some point, the issue must and will be confronted.

The best we can do is confront these issues in the least destructive ways possible. That requires that we order our priorities. We rank our principles, paying closest attention to those that are first, because they, if we are reasonably honest with ourselves, will underlie all the rest. These first principles, in a sense, are really our *only* principles, because all secondary principles derive their importance from those that are first. For instance, St. Augustine concluded a famous homily by saying: "Once for all then, a short precept is given you: love, and do what you will; whether you hold your peace, of love hold your peace; whether you cry out, of love cry out; whether you correct, of love correct; whether you spare, of love do you spare: let the root of love be within, of this root can nothing spring but what is good."

One thing St. Augustine is saying is that we should bend sometimes, and stand firm other times, but not because we have no firm grasp of our first principle — in this case, love — but because sometimes it better serves love to bend, at other times it serves better to stand fast. Thus, we might lay aside a secondary principle: that, for instance, we should never remain silent in the presence of in-

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justice if, at the given moment, we see that waiting to speak until tempers cool will ultimately serve justice better. Such flexibility is not waffling over first principles; it is inflexible loyalty to them.

So, my disagreement with Ms. Nash-Hoff is not over whether we should try always to serve the good of our Party, our state, and our nation, but over two things: what are, or ought to be, our first principles? and how can they most constructively be served? Judging by her argument here, Ms. Nash-Hoff's first principle is Party harmony. As a practical matter, that is, if a candidate is a GOP nominee, we support him. I submit that, as a first principle, this is untenable. Suppose Mr. Bogh manages to win for himself the Republican nomination for the Assembly seat Jan Leja won. Will Ms. Nash-Hoff withdraw her criticisms of how Mr. Bogh helped remove Mrs. Leja from the contest? I doubt it. More to the point, I expect most people would think it strange, at least, if she did. Why? Because the mere attachment of a legal GOP nomination title to someone's name means nothing in itself. Doris Allen became the first Republican Speaker, technically, in a quarter century. Did it matter? Had Republican ideas triumphed? Of course not. Should we have "laid aside our philosophical differences" when Paul Horcher sold out his Party to prop up Willie Brown as Speaker? Nonsense. The Republican label is not even a second- or third-tier principle, much less first. We all must defend our own true *first* principles, which may mean holding our peace or it may mean crying out about fellow Party nominees. What it can never mean is blindly supporting the Party label no matter what.

The question of *how* best to serve our first principles, on the other hand, is much more open to debate. I supported the legal action against the "open primary" nominations where it could be shown that the winner among Republican voters lost the nomination due to non-Republican votes, but I would not read anyone out of the Party who honestly disagreed with me about the wisdom of that legal strategy, as I also would not over the other instances Ms. Nash-Hoff raises.

On her final point: that intra-Party "sabotage" is responsible for GOP losses, I believe Republican *failure to deliver once in office* on our promises on taxes, spending, term limits, and a host of other issues is the true culprit — a failure, that is, of loyalty to first principles, one of which is playing honestly with voters we ask to support us.

Bucher

(Continued from page 13)

ion bosses demanded. The local union and the California Teachers Association (CTA) put up more than half the money to fund the recall. The recall petition states that the reason for the recall is that teachers are not paid enough and are leaving the district.

As to teachers leaving the district, over the past few years the union has actually funded "Job Fairs" with the stated goal of encouraging veteran teachers to leave the district. Clearly the teacher shortage is an excuse, not the reason, for the recall. And what about teachers not being paid enough? Half-way through the recall campaign, the board and the union membership agreed to a contract with raises as high as 22 percent. The union responded by donating $10,000 to the recall campaign a little more than a month later. The recall is about union power — pure and simple. The trustees stood up to the union, so they must go — now! It does not matter that the special election, five months before a regular election, will cost taxpayers more than $100,000. The union has spoken. It is sending a message to politicians: if you cross us, we will take you out of office, for no real reason, even in Orange County. We can do it anywhere.

Consider a union publication entitled "NEA Strategy Directives to Field Representatives for Difficult Negotiations." (The NEA — the National Education Association — is the parent organization of the California Teachers Association and the Orange Unified local union.) Beginning with a section entitled "Mislead Own Membership," the publication describes in detail 33 strategies for creating an atmosphere of chaos within a school district. The membership is to be misled to build dissatisfaction. This is followed by "Misdirection" — a section that encourages the field representative to "Cloud the real bargaining issues. State that teachers are concerned about poor working conditions, poor educational programs, poor heating, etc. In fact, anything about money and benefits." In the final stages of the misinformation campaign, the union encourages use of the media to present a false picture of the state of the negotiations and of public support for the union position.

The union used all these tactics in Orange Unified. Now the rallying cry for supporters of the recall is that the trustees should be removed so the district can just get back to normal. Watch the Orange Unified recall closely, and send help if you can. If CTA and NEA succeed here, the pattern will be repeated.

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Ray Haynes: The Front Line

(Continued from page 5)

"protections" that have no sound basis in science or reality.

THE TROUBLE is that Governor Davis is providing no leadership. He may have inherited a problem with the 1996 California "deregulation" program, but he, and he alone, turned it into a crisis by failing to propose and fight for any solution to the problems the legislation created. He has consistently sought to shift responsibility, privately suggesting solutions, but refusing to play, or even to acknowledge publicly, a governor's role in developing solutions. In many cases, he has just failed to do anything until matters reached crisis proportions. California taxpayers would not now be spending $2 billion a month on electricity if Davis had approved long-term contracting in May of 2000 when utilities requested authority to sign such contracts. If Davis had proposed an aggressive strategy to increase power supplies in November, the cost of power in long-term contracts today would probably not entail rate increases for the consumer. We could even have avoided blackouts this summer. But he didn't, and we won't, and he still won't make a decision. We are bound for disaster, and his lack of leadership has left the Legislature in disarray.

Will this lead to a revival of the Republican Party? That is the question. While Davis is doing everything he can to make us look good, our Party is doing everything in its power to look as inept as possible. The Brooks Firestone/Shawn Steel fight is a fight over abortion and guns, not energy, mainly because Brooks wants to fight about abortion and guns. Legislative leadership and Party leadership seem intent, again, on fighting about strategy without talking to each other beforehand. We are working hard to snatch defeat from the jaws of victory in this very critical debate over the future of our state.

We agree on so much that a debate on strategy seems nonsensical. The Firestone/Steel fight is a fight about strategy. Firestone may not agree on the policy of the Party on abortion and guns, but he *cannot* believe that a change of those policies, which would cost the GOP one-third to one-half of its most loyal and active supporters, would be good for the Party. He just believes, he says, we should not "emphasize" our disagreement on those issues, and follows his own advice — how? By emphasizing our disagreement on those issues to enhance his campaign for chairman.

The McGraw/Brulte fight is also a fight about strategy. Both agree we ought to present a clear distinction between our solutions and those of the Democrats, but they disagree on how to do that, and that disagreement has gotten personal on both sides. I will admit that my first impulse when it comes to political strategy is: "Ready, Fire, Aim," so I find it difficult to criticize McGraw and his tactics. But Brulte *does* have a good political mind, and there ought to be some middle ground between Brulte's perception of the best way to handle this affair, and pulling out the cannons, as McGraw advocates.

IT ALL makes this is an interesting time in the Capitol, from electricity to Steel/Firestone to Senator McPherson fighting with the Democrats. All that's missing is Rod Serling.

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I'd Rather Be Right

BY G.B. TENNYSON

SOMEWHERE IN the evolution of this publication Criticus found himself compiling a list of typos and errors after he had read the latest number and then transmitting the list to august Editor. This was partly the result of my having been myself for many years the editor of a scholarly journal and hence a compulsive proofreader and fact-checker and partly an expansion of noting typos in my own column. But after a time I had to abandon the practice, because the Editor made it plain that he did not much care for contemplating errors after the fact (shrinks call this "denial") and that if I were so concerned I could proofread all the copy in advance. Time, space, and the need to get my own copy in somewhere near the deadline precluded any such undertaking, to say nothing of the fact that it would be counted as purely voluntary. Dr. Johnson famously said that any man who writes for any reason but money is a blockhead. Imagine what he would say of one who did free proofreading.

So Criticus went back to policing his own column only, especially for errors of fact, those blunders that could not be laid at the hands of an insouciant editor, a harried printer, or the quirky behavior of computers, spell checkers, fax machines, and other assorted ills that modern technology has spawned. Constant Readers will remember that Criticus occasionally found a factual error, such as recently when he managed to suggest that blimps were deflated every night and reinflated the next day. My cunning linguist friend from UC Irvine, whom I described as a Zeppelin Fiend, immediately informed me that such a procedure was needless and that the cost in helium of inflating and deflating blimps daily would be enormous. Therefore it simply isn't done. (Of course, none of this diminished his disdain for blimps *vis-à-vis* zeppelins.) I duly corrected my error in print, while not of course yielding on the point it was designed to make, namely that the *L.A. Times* was a bloated blimp of a publication and worthy of deflation each night, *i.e.,* being pitched into the rubbish bin.

One of the lesser reasons for such an acerbic view is that the *Times* is fast becoming the *Grauniad* of the American press. If you don't know what that means, be advised that it is the by now almost affectionate, but nevertheless still disparaging, name for the British daily *The Guardian.* Even back when it was still the

G.B. Tennyson contemplates the oracular as well as the popular while also serving as Curator of Lost Causes for CPR.

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Manchester Guardian it was famous for its abundance of typos and blunders, such as would make august Editor of *CPR* feel that he was qualified for proofreading canonization. Now published out of London, the *Guardian* seems to have improved somewhat in the proofreading department but it remains — or the jocular transposition of the letters of its name remains — a byword for journalistic sloppiness and error. It is also still nauseatingly leftwing.

FOR ITS part, the *L.A. Times* seems to be in strong contention for the *Grauniad* prize, mainly in the matter of factual error. Who among its readers has not noticed the increase in "For the Record" entries in virtually every section of the paper every day? Names spelt wrong (*e.g.*, television reporter Bob Pettee rendered hilariously as Bob Petpee), incorrect factual information (Oxford placed more or less due north of London), misattributions of authorship (a byline crediting the captious Critical nemesis Agustin Gurza with a column actually by Al Martinez [does the *Times* have a Spanish surname problem?]), to say nothing of the apparent inability of many *Times* reporters to master those tricky verbs *show* and *shine*. (Here's my own *Times*-style creation, not a quote, but typical: The sun shined down so brightly that the street was showed to be empty.)

Who among *Times* readers has not noticed the increase in 'For the Record' entries in virtually every section of the paper every day?

The *Times* is also capable of true *Grauniadery*. I quote a news story in full:

> Burbank — The Federal Avia-already a recipient of some work, tion Administration has provided awill get additional soundproofing $5-million grant for jet noise insula-valued at $582,000.
> tion to a middle school and 210 The Burbank-Glendale-Pasa- homes under the Burbank Airpotdena Airport Authority's current flight path, airport officials saidbudget calls for $ll million in Tuesday.
> noise mitigation and abatement
> Since the program began inprojects,
> 1989, 259 homes and four schools. Airport officials say their goal have previously been approved tois to soundproof 3,100 homes and receive sound insulation with FAAeight schools in Burbank and and airport matching funds. Los Angeles by 2015 at an esti-
> Luther Burbank Middle School,matedcost of $130 million.

No doubt the length of the above story is what prevented its appearing in the "Only in L.A." column in the *Times* that skewers typos and bloopers. But, then, as undergraduates say when an essay is marked down for misspellings, solecisms, typos, factual errors, "Oh, but you know what I meant."

So, it is with humble and contrite heart that Criticus confesses to another factual error of his own, one also spotted by the relentless Zeppelin Fiend (though now in his guise as classicist) in just retaliation for a vexillological error Criticus had spotted in a passage of ZF's own writing. The latest Critical howler is his statement in the last number about "the famous Cumaean Sibyl in Greece who accompanied Aeneas into Hades." Well, as every schoolboy ought to know, the Sibyl at Cumae resided near Naples, not in Greece, though she did accompany Aeneas into Hades, as Virgil tells us. The most famous of the oracles in Greece was the one at Delphi. The probable cause for Criticus's error was his flawed memory of the epigraph to T.S. Eliot's "The Waste Land," which is a quotation from the *Satyricon* of Petronius (1st century AD). The passage is of course in Latin but it renders the quoted exchange with the Sibyl in Greek, doubtless because the Sibyl and all of Cumae (the first of the Greek settlements in Italy from about 750 BC), was, at the time Petronius was referring to, Greek-speaking. Criticus, remembering the exchange as being in Greek, unconsciously transferred the location to Greece. The epigraph reads in translation as follows:

> For once I myself saw with my own eyes the Sibyl at Cumae hanging in a cage, and when the boys said to her, 'Sibyl, what do you want?' she replied, 'I want to die.'

It is a piercing passage, brilliantly chosen by Eliot to preface his account of a world without belief. The

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Sibyl wanted to die because she had been granted immortality by Apollo but not eternal youth, so she withered and her authority waned. The ancient gods had a way of doing such things. Modern medical gods grant youth without immortality. Are you listening, Bride of Wildenstein? Indirectly the ancients also had a message for Criticus, which is nothing less than the advice given by the long-lived Martin Joseph Routh (1755-1854), for 63 years president of Magdalen College, Oxford. It was: "I think, Sir, you will find it a very good practice *always to verify your references* [Routh's italics]."

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CHECKING MY references is something I have also been driven to by a thoughtful communication from reader David C. Stolinsky, M.D., who writes anent the same previous column mentioning the Sibyl, though on another matter, namely "Waltzing Matilda." Readers will recall that Criticus was moved to explain the meaning of that unofficial Australian national anthem in the light of its prominence at the Olympics. Without rehearsing the full explanation, let me just say that it tells the story of a drifter or tramp (swagman) who sings of taking to the open road (waltzing matilda) and who camps by a pool (billabong) where he is apprehended by a landowner (squatter) and the lawmen (troopers) for stealing a sheep (jumbuck) and putting it in his knapsack (tuckerbag). This theme of roaming and living by your wits represents the nostalgia Australians have for the open and rough-and-tumble life of the past. This was already evident in 1890 when one A.B. "Banjo" Paterson wrote the words and when Australia was just barely a hundred years old (no letters regarding Aborigines, please). Clear enough, all that. But Dr. Stolinsky adds to the mix as follows:

> Your comments on "Waltzing Matilda" were correct but incomplete. Recall the last verse (I apologize for errors, it's been about 50 years since I heard it):
>
> Up rode the squatter mounted on his thoroughbred;
> Up rode the troopers one-two-three.
> "Where's that jolly jumbuck you've got in your tucker bag?
> You'll come a-waltzing matilda with me."
>
> That is, the landowner and the cops demand to see the stolen lamb, and tell the thief he must come with them. Thus "waltzing matilda" means not only going along with the jolly swagman, but also going along with the cops to jail (excuse me, gaol).
>
> Greetings from a fellow nit-picker!

Well done indeed! fellow nit-picker, says Criticus. To remember such a verse after fifty years is no small feat, though it is almost always lines learned when young that stay with one, which is precisely why we need more, not less, rote learning and memorization in school and also another reason that rap and other trash music should be eschewed. Imagine today's teenage couple fifty years on singing along and saying to one another, "Oh, listen, they're playing our song — it's Eminem!"

However, back to nit-picking. Dr. Stolinsky's interpretation is also incomplete. My text for "Waltzing Matilda" gives the verse quoted by Dr. Stolinsky as the penultimate, not the last, verse, which makes a world of difference. The actual last verse reads:

> Up jumped the swagman and sprang into that billabong
> "You'll never take me alive!" said he.
> And his ghost may be heard as you pa-ass by that billabong
> "You'll come a-waltzing matilda with me."

These last two lines are performed, writes Roger Clarke of the Australian National University, "in a hushed tone, before bursting back into the jollity of the refrain."

As regards verse three (Dr. Stolinsky's "Up rode the

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squatter," etc.) Clarke notes: "When the squatter says, 'where's that jolly jumbuck you've got in your tucker-bag?' he seems like a right galah [twit, nerd, fool], asking a question he's already declared he knows the answer to. Actually it's quite sensible because at least in Australian English, you say it with your hand extended expectantly, and it means 'give it back!'" Clarke says nothing about the lawman's play on the words "waltzing matilda."

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All of this leads Criticus to posit a modified interpretation of Dr. Stolinsky's proffered one of the key phrase "you'll come a-waltzing matilda with me," namely that it *does* mean "you're coming along to jail (gaol)," but only in *that* verse, not necessarily in general as an equivalent meaning to the primary one of taking to the road.

This is as much a matter of literary interpretation as anything else. It is very like what the ancient rhetoricians called *catachresis.* That means an alteration or twisting, even a perversion, of a word or term, "the application of a term to a thing which it does not properly denote," as the OED has it. It is the same as if, say, a caretaker finds a boy slouching round the cemetery at night and asks what he is up to. "Oh, I'm just whistlin' 'Dixie,'" says the lad. "Well, I'll whistle you 'Dixie' right out of here," says the caretaker. This does not make the phrase in any other context mean "to expel someone from a restricted place"; it merely has that meaning in this immediate context. "Whistlin' Dixie" continues to mean in any other context something like innocently cheering oneself up at a scary moment or even doing nothing much at all, as its shown by the counter expression "You ain't just whistling 'Dixie,'" which is to say you are really saying something.

Thus when we come to the real final verse and hear the ghost of the swagman again inviting us to come a-waltzing matilda, we do not think he means going to jail. If anything, he means getting out of this place and taking to the road, even if waltzing matilda may lead you to leap into a billabong rather than go to jail. My fellow nit-picker, being presumably an Australian, may well know better, but then his interpretation taken outside verse three would rather undercut the "jollity of the refrain" and make this a mournful rather than a jubilant song that would hardly be likely to set thousands rollicking in the Sydney stadium sing-along.

More truly mournful is some recent news related to another Criticus topic, one that Constant Readers will recall from "Messing with Texas" in the November/December 2000 *CPR.* There Criticus recounted among his Texas adventures stopping in Burnet to look in on the Confederate Air Force Museum, Hill Country Squadron, noting that the name of the organization was clearly "a tongue-in-cheek conceit." The purpose of the Confederate Air Force is to collect, restore, preserve, and fly World War II aircraft from all the services and from the United States, Britain, Germany, and Japan. It began in 1951 and today has more than 9,000 members and 70 chartered units in 27 states and three countries. It has extensive rotating exhibits and educational programs, including a flight simulator in which visitors can experience the flight training for an air force cadet. There is also in October an annual air show with flying demonstrations. In every way it seems a most worthy enterprise and one undertaken out of affection and respect.

But Critical notice may bring bad luck. Scarcely had my mention of the CAF appeared than a small newspaper item surfaced announcing that the organization had resolved to change its name. Curses. I had to investigate further. I learned that talk of a name change had been in the air since 1999, and a vote of the membership had been taken with the results revealed on 18 November 2000. A majority voted that there should be a new name, that it will be chosen in October 2001 by a vote on four names selected by a committee from recommendations from the membership. The Confederate Air Force will remain the name through the year 2001. On 1 January 2002 the new name will become effective. The only reason given by the CAF in its press release for making a name change is that the current "name does not accurately reflect the primary objectives of the organization." Well of

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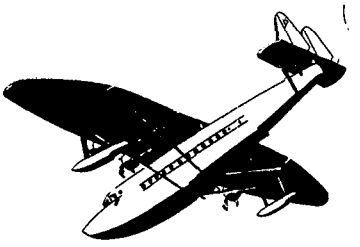
course it never did. And of course, Criticus smells a rat. Were there complaints or did the General Staff — as the leadership council of the CAF is called — decide on a pre-emptive strike to avoid another flag issue?

The Confederate battle flag does feature at CAF museums and seems to have done so from the time the organization got its name. The history of the CAF goes back to 1951 when a former Army Air Corps flight instructor bought a surplus Curtiss P-40 Warhawk. Six years later he and four friends purchased a P-51 Mustang, and that is considered the unofficial founding of the Confederate Air Force. But at that time there was no name. The story is that one morning in 1957 when the group arrived at Rebel Field in the lower Rio Grande valley town of Mercedes where the planes were located they found that someone had as an apparent joke painted a sign on the fuselage of the P-51. It read "Confederate Air Force." "All the pilots seemed pleased with the new name, saluted each other and decided it should stay," reads the official history of the CAF.



Critical notice may bring bad luck. Scarcely had my mention of the Confederate Air Force appeared than a newspaper item announced the organization had resolved to change its name.

In 1961 the organization was chartered as a nonprofit Texas corporation, and in 1965 the first museum was completed. In 1968 the CAF left Mercedes and built a new field and buildings in nearby Harlingen, Texas, to house the growing collection. There the headquarters remained until 1991 when it relocated to Midland, Texas, where it continues today at Midland International Airport. On his departure for the inauguration, George W. Bush said goodbye to Texas from Midland where he had made his oil fortune. I hope he saluted the CAF as he left.

A photograph in the official information release from the CAF shows a group of ten "Colonels" (as they styled themselves) from what appears to be the early days of the organization. In the background on a shelf stand two Confederate battle flags.

Clearly the name painted by the unknown jokester — or was it a Sibyl seeing into the future? — sparked the same kind of innocent nostalgia that "Waltzing Matilda" does in Australia. Let us hope they'll keep some of the original associations and paraphernalia when they choose what will doubtless be an anodyne name that will offend no one. It will be something like "Airpower Historical Museum," but they could as a subtitle add, "Formerly Confederate Air Force." Maybe one of the squadrons could secede and retain the old name. They could set aloft a blimp with a Rebel flag and CAF on it. Otherwise it's another jolly swagman forced to jump into the billabong, and the spirit of the Sibyl of Rebel Field will be saying, "I want to die."

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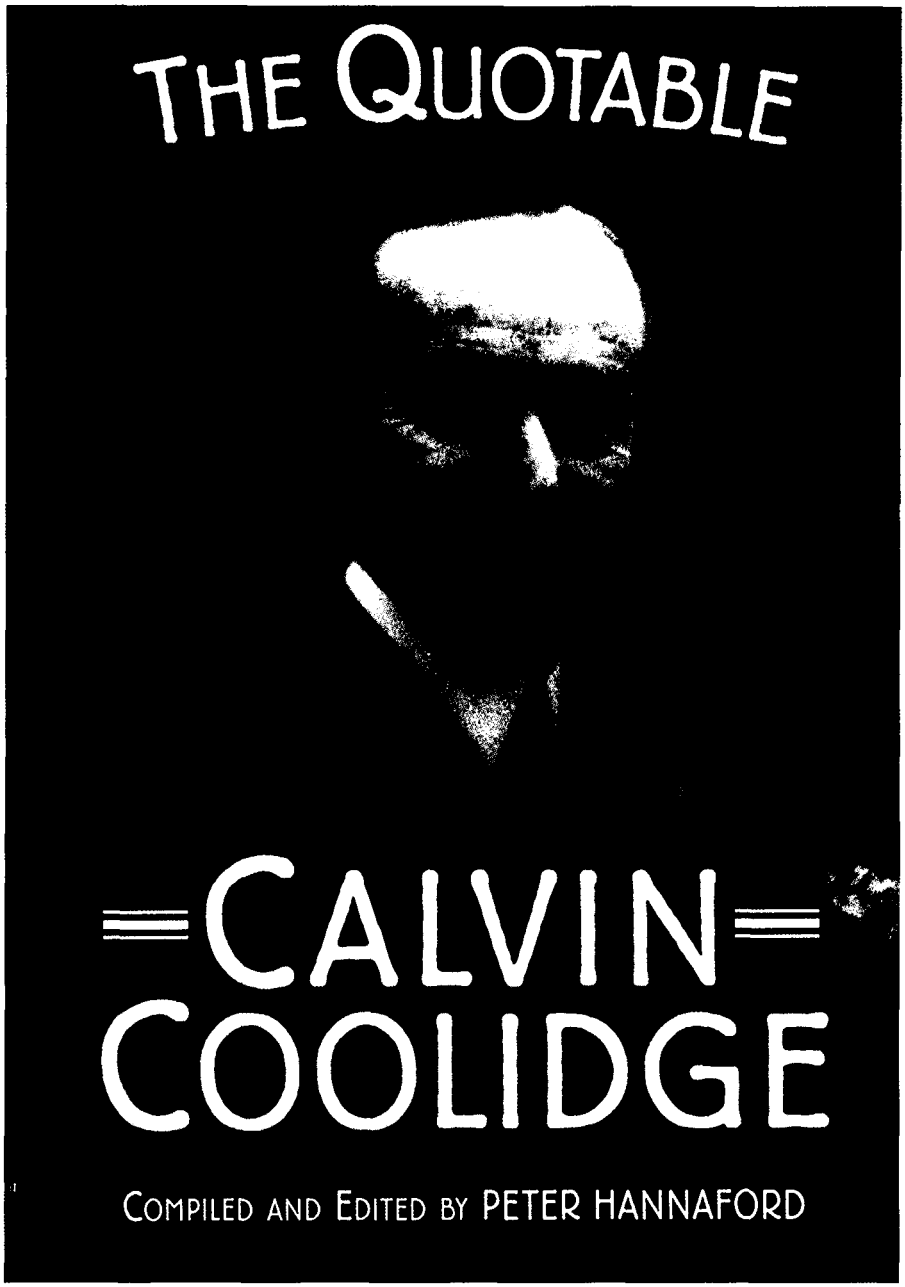

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